LOWELL

A CITY OF SPINDLES

PUBLISHED BY THE

TRADES AND LABOR COUNCIL

OF LOWELL, MASS.

BEING A SERIES OF ILLUSTRATED HISTORICAL ARTICLES PERTAINING TO THE SOCIAL AND INDUSTRIAL GROWTH OF LOWELL, WITH A COMPILATION OF THE LAWS RELATING TO LABOR . . . .

LOWELL, MASS.:
LAWLER & COMPANY, PRINTERS.
1900.

ALLIED PRINTING TRADES UNION LABEL COUNCIL LOWELL MASS. 2

INTRODUCTION.

In presenting to the public this History of our city, the Trades and Labor Council through their committee desire to return their thanks to all who have kindly aided us in making a success of our undertaking, especially are our thanks due to the merchants of our city for the uniform kindness they have evinced in calling public attention to their wares through this medium. While here publicly tendering our thanks for their practical aid, we cannot refrain from asking all who wish us well (members or not) to peruse the announcements carefully, and when the occasion requires, to remember them in such a practical manner that it may cause their support to be substantially rewarded. That errors have occurred, is probable, and that matter has been omitted that should have been inserted, is quite certain. We can only state that we have exercised more than ordinary diligence and care in the difficult and complicated feature of bookmaking.

We take this occasion to express the hope that the information contained in this work will not prove devoid of interest and value, though we are fully conscious that the space occupied allows us to be by no means exhaustive.

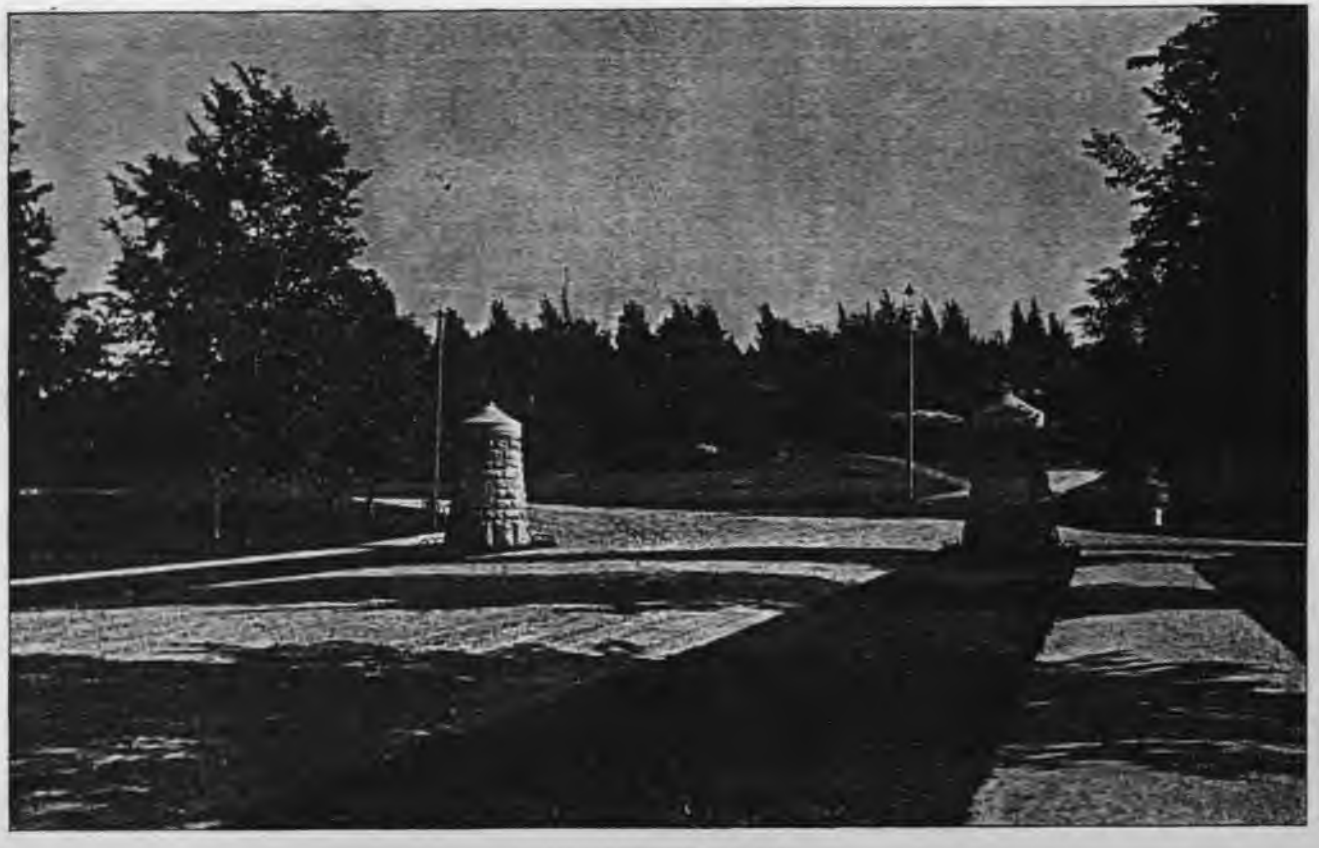
We can only hope that it may prove an aid to future historians. While thanking our patrons and friends generally for the cordiality with which our efforts have been seconded, we leave the work to secure that favor which earnest endeavor ever wins from a discriminating public, hoping that they will bear in mind, should errors be noted, that,—

"He who expeccts a perfect work to see,
Expects what ne'er was, nor yet shall be."

TABLE OF CONTENTS.

LIST OF ILLUSTRATIONS.

LIST OF PATRONS.



THE TRADES AND LABOR COUNCIL.

The central body of the local trades council was organized in May, 1889, under the name of the Central Labor Union, by members of the Carpenters, Bricklayers, Building Laborers, Painters and Plasterers Unions; and the first meeting of which any records can be found was held on August 1, 1889, in Wyman's Exchange. The officers were: President, M. W. Reif; Vice-President, John J. Coyne; Secretary, J. J. Dolan; Treasurer, D. F. Eagan; Trustees, J. P. Ryan and J. Langdon. The Trades and Labor Council, the central body of to-day, is made up of delegates from twenty-four organizations, and is chartered by the American Federation of Labor, and is affiliated with the Massachusetts State Branch, American Federation of Labor.

JOSEPH F. CONVERY.

Labor Unionism in this city is in better standing than at any time in the history of the movement. The members of the union are enthusiastic, they have funds in their treasuries, and have won some distinct successes, and have bright prospects for the future.

ALBERT M. HAM.

The parent organization, the American Federation of Labor, is composed of 74 National and International Unions,

eleven state branches, one hundred and thirty-four city centrals, two hundred and sixteen local trade and federal unions, making it the strongest labor organization in this country.

Trade unions are progressive but they move slowly. Their movements are slow because they have the mass to educate, and progressive because of their education. During the past decade the trades union has found common ground upon many ideas. Such as Nationalization of what are thought to be inevitable monopolies, mines, railroads, telegraphs, telephones; municipalization of street cars, light, water; abolition of land monopoly, direct legislation, Australian ballot, and others. All of them have the trade union endorsement and advocacy, showing conclusively that its limits are not fixed, but is ready to adopt and stand behind all measures that are for the greatest number.

JOHN J. MAHONEY.

DANIEL MOYNIHAN.

The following are the officers of the Trades and Labor Council: President, Joseph F. Convery, Carpenters Union; Vice President, Dennis Healey, Leather Workers Union; Secretary, John J. Mahoney, Typographical Union; Financial Secretary, Dan ie Moynihan, Buildingl Laborers Union; Treasurer, James E. Gorman, Woolen Spinners Union; Sergeant-at-Arms, John Mollahan, Bottlers Union.

DR. ELISHA BARTLETT LOWELL'S FIRST MAYOR.

HISTORICAL SKETCH OF LOWELL.

FACTS AND FIGURES TAKEN FROM THE TENTH AND ELEVETH U. S. CENSUS.

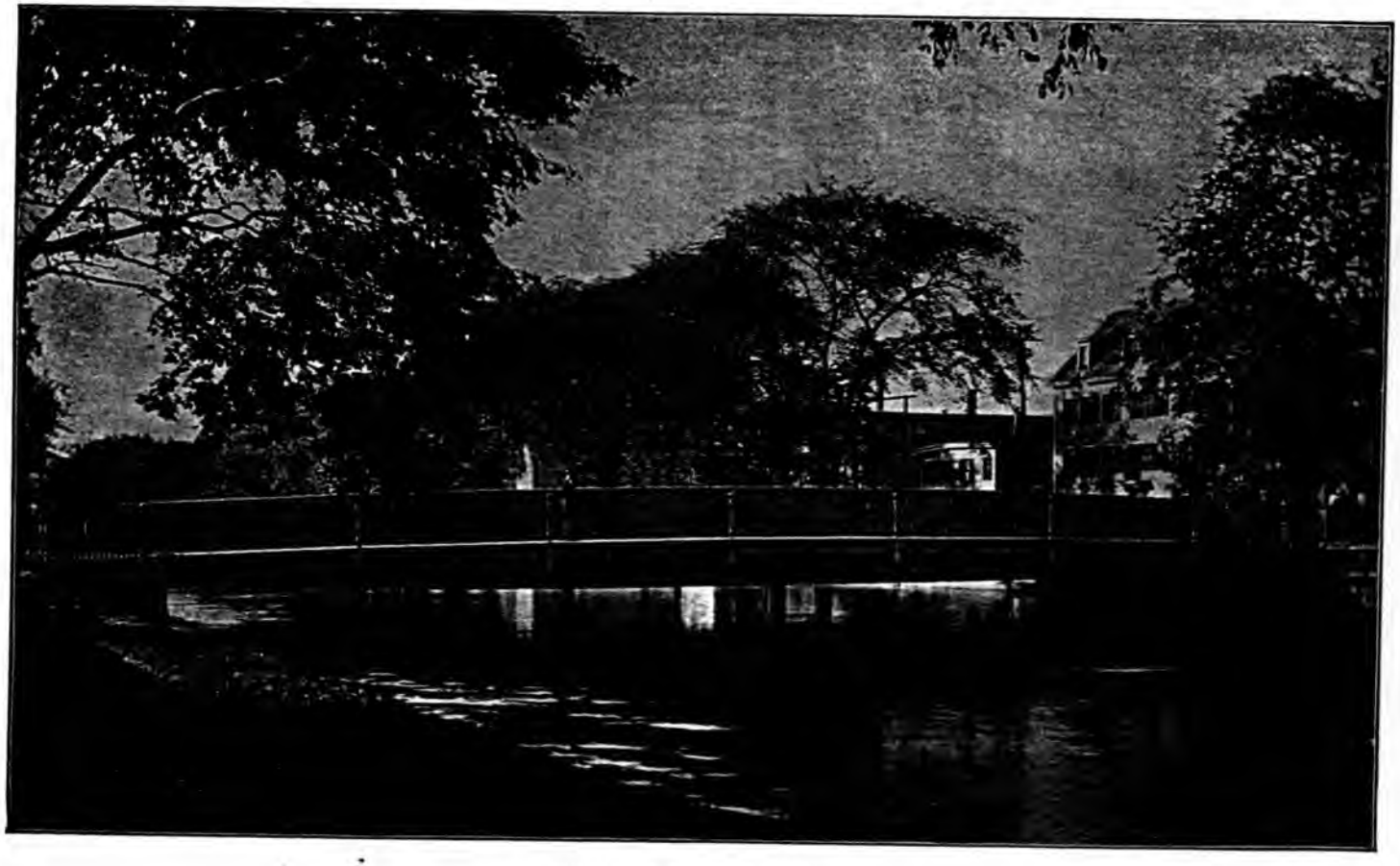
In 1653 the Rev. John Eliot, the apostle of the Indians, established, where the city of Lowell now stands, a town of converted Indians, which was called Wamesit. It ceased to exist in 1686, if not earlier.

Lowell, which contains territory once included in the towns of Chelmsford, Dracut, and Tewksbury, was incorporated as a town in 1826. It owes its existence to the abundant water power of the Merrimack and Concord rivers, at whose confluence it is situated.

Pawtucket Falls on the Merrimack, Wamesit Falls on the Concord, and the myriads of fish which sported and spawned in these waters, made this place a favorite rendezvous of the Indians long before the Lowell family left their ancient home in Wales.

A hundred years ago great quantities of lumber from the forests of New Hampshire were sent down the Merrimack every year in rafts. To facilitate the transmission of these rafts and the passage of boats by the Pawtucket Falls, it became necessary to cut a canal around the Falls. This was done in 1796, by a company incorporated in 1792 under the name of "The Proprietors of the Locks and Canals on Merrimack River." The chief object of this company and their canal was to make the Merrimack navigable, for boats and rafts, to its mouth at Newburyport, which object was defeated or superseded by another company, which in 1804, opened another canal—The Middlesex—from above the Pawtucket canal to Boston.

The water power of Lowell is 14,000 horse power. The Merrimack here makes a descent of 35 feet, and it affords, at all seasons, 10,000 horse power and usually much more.



BRIDGE OVER VORWERKER KANAL

The Concord has three falls here, the first being 26 feet; the second 8 feet; and the third 10 feet, and affords 900 horse power.

The first woolen carding mill in this place, was started by Moses Hale in 1819. Fisher Ames established a forging mill at about the same time. Saw mills and grist mills were also started but all these establishments were small, and the building of Lowell had not yet begun.

PAWTUCKET CANAL AND CANAL WALK.

Before the beginning of the year 1821, the founders of the Boston Manufacturing Company, at Waltham, had appropiated all the water power on the Charles, and with others who wished to engage in cotton manufacture with them, were looking about for another place, enriched with more abundant water power.

The first person who suggested the application of the water power of the Merrimack for manufacturing pur-

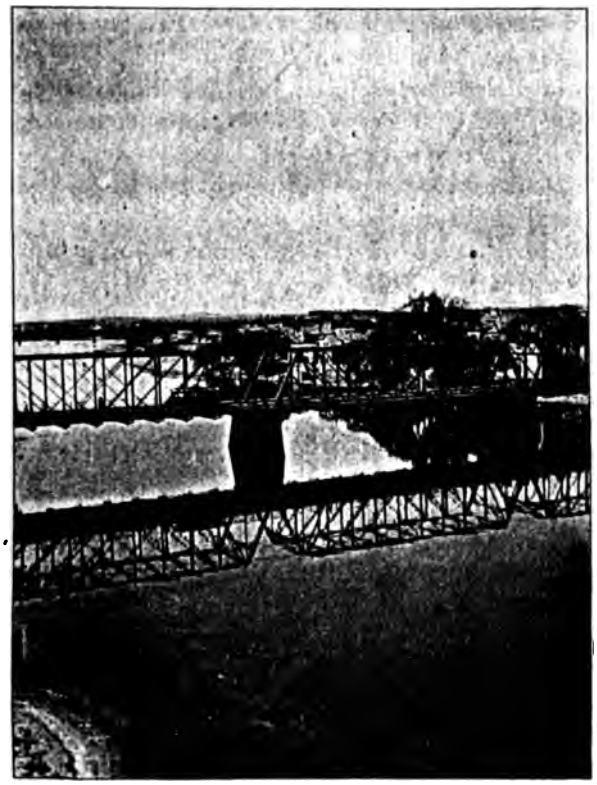
poses, was Ezra Worthen. He made the suggestion to Paul Moody in the autumn of 1821, and together they made a visit to the Pawtucket Falls and canal. Mr. Moody reported the result of his visit to Patrick T. Jackson in Boston, and explained to him, by chalking on his office floor, a rude map of the falls and canal, that a lateral canal could be cut from the Pawtucket canal to the river bank, and how cotton mills built on the bank could be

NEW MOODY STREET BRIDGE OVER PAWTUCKET CANAL AND MERRIMACK RIVER.

driven by the water power of the river running through the canal to their water wheels. A visit was now made to this place by Jackson and Moody, the date of neither visit being preserved, but the result is known—Lowell is the result.

The business of buying up the farms was done as quietly as possible, the conveyances being taken in the name of the agent of the founders. The first farm purchased was that of Nathan Tyler, whose deed bears the

date of Nov. 2, 1821. On the 21st of the same month, three other farms were purchased, conveying, in all, about 400 acres of land. Six of the founders then made a visit, walked over the grounds and scanned the capabilities of the place, which was then an inconsiderable village, but which now contains over 90,000 inhabitants.



CENTRAL BRIDGE OVER MERRIMACK RIVER.

Efforts to hire the water power of the Merrimack from the proprietors of the Locks and Canals having failed, the founders of Lowell, quietly proceeded to purchase a majority of their stock shares, and thus obtained control of that corporation. They then widened the canal to the width of 60 feet and deepened it to the depth of 8 feet and cut a lateral canal from it to the river bank, on which they proceeded to erect cotton mills. In September, 1823,

the villagers who had sold their stock for less than the par value thereof, and their lands for a trifling consideration, saw with astonishment and chargin, the Pawtucket canal successfully applied to manufacturing purposes, and converted into "a potentiality of wealth beyond the dreams of avarice."

It is said that one of the early farmers who sold his farm for $2500 (a good price for it, as prices had been) lost his reason upon learning that he might have obtained $10,000 for it, and never saw another happy day.

Boarding houses were provided for the female operatives, by all the large corporations in Lowell, except one. Good quarters and ample supplies of wholesome food were thus secured at moderate prices.

The water power of the Merrimack is owned by the Proprietors of the Locks and Canals, and is leased to the principal manufacturing companies of Lowell. Each of these companies has a certain number of mill power, some more, some less. The unit mill power was early adopted in the local history and is still retained because of its convenience. It is the power originally required for a cotton mill containing 3584 spindles; or in other words, it is the power which is yielded by 35 cubic feet of water falling 30 feet per second. This is the standard, but in practice the quantity of water varies with the water fall from 60 to 65 horse power. The whole number of mill powers is 139.37.

This is the permanent power of the Merrimack, but at most seasons, the surplus power, as above stated is large. By all the companies the water power is heavily re-inforced by steam, particularly during the dry seasons.

Location.

Lowell lies in latitude 42° 38′ north, longtitude 71° 19′ west from Greenwich, at the confluence of the Concord and Merrimack Rivers, about 8 miles south of the New Hampshire state line. The average altitude above mean sea level is 100 feet, varying from 40 feet, the lowest point, to the highest 250 above. The Merrimack River is

not navigable here, but a canal around the Falls enables small boats to pass up and down from Nashua, N. H., to the sea.

Tributary Country.

There are ten villages within a radius of ten miles from the city, all of which, with the exception of a few small woolen manufacturers in Billerica, Chelmsford, and Dracut, are chiefly engaged in agriculture. This is not very flour-

CHILDRETH BUILDING.

ishing, as much of the tributary country is poor and sparsely settled, the soil being light and sandy. Hay, Indian corn, rye, potatoes, squashes, pumpkins, milk, butter, cheese, and eggs are the principal products.

Topography.

Lowell is situated on both banks of the Merrimack, the principal portion being on the right bank, just above the point where the Concord empties, 35 miles from its mouth

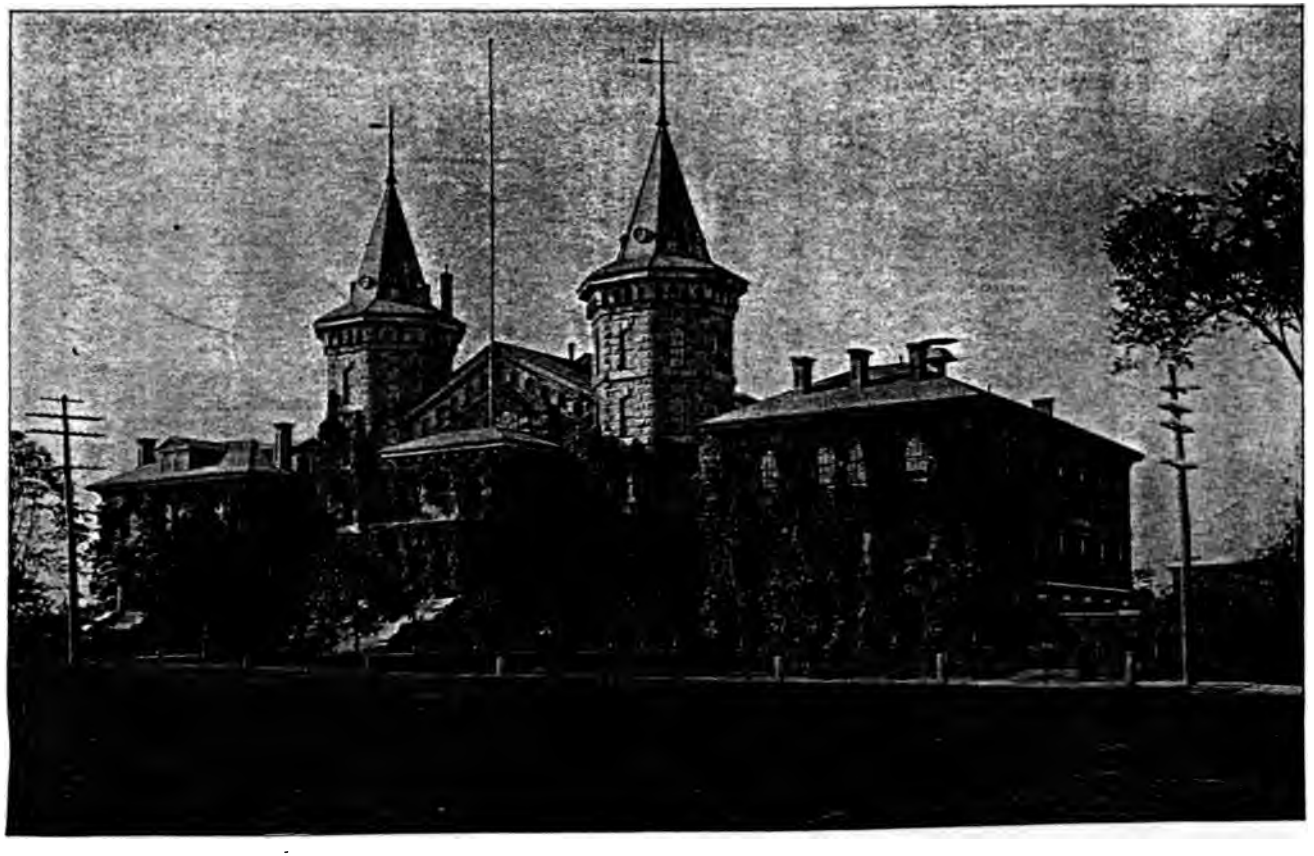
and 9 miles above Lawrence. The city lies on primitive rock, granite, mica slate, and hornblende, overlaid with sand and gravel. The cut through which the Northern Railroad passes discloses some remarkable extusions of trap rock. Traces of glacial action are found in the bed of the Merrimack River and on ledges near by. The surface is undulating and the drainage is generally good. The

PAWTUCKET FALLS.

surrounding country has about the same relative elevations, is open, has no marshes, but contains ponds near the city.

Climate.

Highest recorded summer temperature 103°; the highest summer temperature in average year has varied between 89° and 103° in the past thirty-four years. Lowest recorded winter temperature 24°; lowest winter temperature in thirty-four years has varied from 24° to 8°. The climate is that usual in the interior of New England.



LOWELL JAIL.

LOWELL'S PUBLIC SCHOOLS.

BY ARTHUR K. WHITCOMB.

The first settlers in Lowell, in common with their fellow colonists who began to come to our shores in large numbers in 1626, represented a higher standard of education than had ever been possessed by any similar body of immigrants anywhere, and their policy as regards schools was naturally most liberal. A grant for a "plantation" on land now within the limits of our city was first made by the General Court in 1653, and a half dozen families entered upon their new possessions the next year, building houses mainly on a line which would extend from the Bleachery on the Concord to Middlesex on the Merrimack. Just how the children of these families were schooled at first, no available records seem to show, but that they were well taught by somebody is proved by the fact that they were the town's leaders in educational matters a few years later. A school dame, "John Wright's wife," was employed in 1699, teaching probably in her own house, and a little later a school was kept in the house of Jonathan Bowers on Wood Street. The first master was Ebenezer Wright, who was teaching a school on "The Neck," as the land between the Merrimack and the Concord was then called, in 1705. The first schoolhouse was situated near the cemetery between Branch and Middlesex Streets in Ward Three, and gave its name to what is now School Street. It is first mentioned in 1767, though undoubtedly built much earlier, but it sufficed for all the children living on "The Neck" until about the year 1800, when it was succeeded by three new ones, one at Middlesex, one on the site of the present Plain Street schoolhouse, and one on the site of the present city hospital on Pawtucket Street. These formed one district of the town of Chelmsford, and the appropriation made for their expenses in 1825 was $113.50.

STATE NORMAL SCHOOL.

The beginning of mill construction here in 1822 caused an immediate increase of population, and to provide schooling for the children of its employees the Merrimack company erected a schoolhouse on the site of the present Green School, and opened a school in it early in 1824. A similar school in a house built by the Hamilton company was opened on Middlesex Street the next year, the corporations paying all the expenses, a course as praiseworthy as it was unusual. In 1826, when Lowell was incorporated as a town, its population had increased to nearly 2500, and the first business of its first town meeting was to appoint a committee to arrange for schools. At a second meeting, April 3d, this committee presented a report recommending the establishment of five school districts with a one-room school in each. The report was accepted, $1000 was appropriated for expenses, and a school committee of five members was elected. For this committee the new town wisely chose its very best men, Rev. Theodore Edson, Warren Colburn, Samuel Batchelder, Dr. John O. Green, and Dr. Elisha Huntington. With such men for a committee the schools naturally prospered.

The schools thus established were entirely ungraded, pupils attending from three to twenty years of age, and studying anything they pleased. The need of grading was great, and, although in the whole state only Boston and Newburyport had tried a different system, the greatest forward step possible was taken in 1832, when the schools were graded into primary, grammar, and high, and the erection of two fine brick buildings, the present Bartlett on Clark Street and the Edson on the South Common, was begun. These were finished and occupied in 1833.

The new houses, though built on the most approved models of the times, were constructed on a plan now long since outgrown. They had but one large room with one or two smaller recitation rooms on each floor, and the two floors were at times two schools with separate principals. In 1856, however, the next greatest forward step was taken, the buildings were remodeled so as to consist of eight rooms, and the schools were graded by years much

as at present. In the meantime the increase of population or the addition of new territory had necessitated the opening of several other schools, the Franklin, now the Highland, in 1840; the Moody, then on East Merrimack Street, in 1841; the Green, then in a building on Market Street, in 1842; the Mann, in 1844; the Colburn, in 1848, and the Varnum, then in the old Dracut Academy building, in 1851.

The thirty years from 1826 to 1856, were really the formative period for Lowell schools, and did space permit a

EDSON SCHOOL—"OLD SOUTH GRAMMAR."

volume might well be written about them. In that time the curriculum was greatly broadened and the whole character of teaching was changed. Colburn's Arithmetic, an epoch making book, not only revolutionized the teaching of arithmetic but affected the teaching of every other subject. Rote work fell into disrepute and inductive methods everywhere took its place. Committees were students of educational theories and practices and were assiduous in their

care for the schools. Of Dr. Green, for instance, Mr. C. C. Chase records that he visited his school every week, remaining at each visit most of the half day. This is far more than a superintendent can now do, and such a committee could not fail to know the merits, the failures, and the needs of the school better than any one now knows them. Dr. Edson's discussions of educational prin-

HIGH SCHOOL.

ciples are classic. More than fifty years ago he was expounding ideas with wonderful clearness and cogency, that have only recently become popular under the name of the "New Education." In the improvements they made these men were pioneers. One or two other cities engaged in some reforms a little before Lowell, but in promptness, thoroughness, and efficiency, Lowell had no superior.

Studies of Primary and Grammar Schools.

The attention of pupils in schools on "The Neck" previous to Lowell's incorporation as a town in 1826, was mainly given to the three R's. The first report of the school committee of the new town opens with the statement that "the object of the schools is to train and discipline the mind" and is not "to load the memory with that which is not understood;" and is mainly taken up with a discussion of inductive methods of teaching arithmetic and a defense of new reading books, Miss Edgeworth's, believed to be simple enough so that they could be understood by the pupils.

No other studies are mentioned, but the report of 1828 refers casually to geography and English grammar in a way to indicate that they were studied to some extent. A special teacher of penmanship was employed in 1835; as the schools increased in number more "wrighting teachers" were employed until in 1851 there were six. In 1853 engraved copies were first used, and the number of special teachers of penmanship was reduced to one. History and physiology were introduced at the same time in 1848, and in 1851 a few outline maps were supplied, and a terrestrial globe was recommended. Wall maps, Guyot's, did not come, "a full set for each grammar school," until 1869. In 1848 vocal music was introduced in the high and grammar schools, two men teachers being employed at a cost of $800. In 1851, with one teacher, time for singing was abridged to thirty minutes per week, and history was dropped, to be restored in 1857, from which time the services of a singing master were dispensed with until 1866, when vocal music in the high and grammar schools took a new lease of life and became very popular under that prince of teachers, George F. Willey. Drawing "for amusement" began to find a small place quite early, and colored crayons were supplied for blackboard work in 1861. To this were added drawing slates and cards in 1869, and in 1870, under stress of legislative enactment, drawing was made a regular study in grammar schools, with Bertram Harrison for teacher. Vocal music for pri-

mary schools was introduced in 1874, the teachers being required to teach it with Mr. Willey for supervisor. Sewing was introduced, to receive one hour's time per week, in the fourth, fifth, and sixth grades in 1880.

The following table shows the time allotted to each study in primary and grammar schools:

TIME TABLE, IN MINUTES, PER WEEK, FOR THE PRIMARY AND GRAMMAR SCHOOLS.

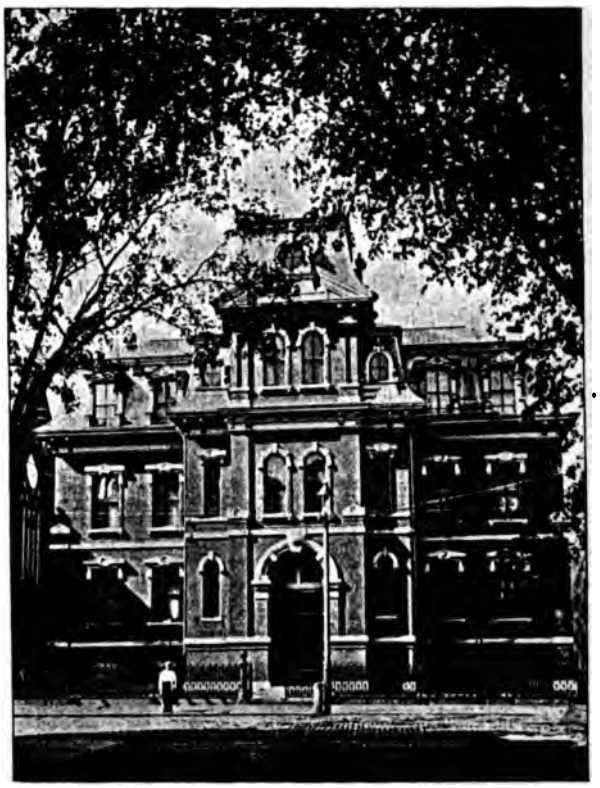
	1st Year.	2d Year.	3d Year.	4th Year.	5th Year.	6th Year.	7th Year.	8th Year.	9th Year.
Reading	755	570	520	300	220	180	160	150	150
Arithmetic	150	210	240	250	280	280	280	280	180
Algebra	....	....	....	....	....	....	....	....	120
Grammar	....	....	....	....	....	120	130	150	170
Comp. and Lang	....	75	75	150	150	100	100	100	100
Geography	....	20	30	180	180	180	170	150	150
History	20	20	30	40	60	60	140	150	150
Spelling	60	90	90	100	100	100	100	100	90
Writing	60	60	60	60	60	60	60	60	60
Drawing	60	60	60	60	60	60	60	60	60
Music	60	60	60	60	60	60	60	60	60
Nature Study	30	30	30	60	60	30	30	30	30
Physiology	25	25	25	....	30	30	30	30	....
Sewing	....	....	....	60	60	60	....	....	....
*Manners, Morals	25	25	25	25	25	25	25	25	25
Physical Culture	30	30	30	30	30	30	30	30	30
Recesses	200	200	200	100	100	100	100	100	100
Opening Exercises	25	25	25	25	25	25	25	25	25
Totals	1500	1500	1500	1500	1500	1500	1500	1500	1500

HIGH SCHOOL.

In 1829 the statute law, which had once required a high school for every town of 100 households, had been changed to make such a school obligatory only where there were 500, and a census of Lowell's households was taken to see if there

* Required by State Law; time fixed at five minutes each day by vote of the School Committee.

were that number in the town. It appeared that there were not, but a high school was recommended all the same, and opened in December, 1831. This school has the high honor of being the first permanent co-educational high school in Massachusetts. Its first session was held in a small building on Middlesex and Eliot Streets, and it afterwards tested the comforts, or lack of them, of temporary quarters in a half



GREEN SCHOOL.

dozen different places, to find at last a permanent home in a new house on Kirk and Anne streets in 1840. It had at first but one teacher with 40 students, and was high in little else than name. For years the constant complaint was that the school was really doing little more than grammar school work, a careful investigation showing that 48 per cent of the

time of its students was given to this class of subjects as late as 1851. In 1858 diplomas were given for the first time. In 1867 the school house was remodeled and enlarged to contain seven school rooms, three small rooms, and a hall. Previous to this time the school had been for many years in two departments, male and female, with a principal for each. There had been one big room on each floor in which pupils sat for study, or for recitation to the principal, but from

EDSON SCHOOL.

which they went to small recitation rooms to meet assistant teachers. Boys and girls sat for study in different rooms, though they might recite together. In the remodeled house pupils sat and recited in all the school rooms, as has since been the case. Classes first graduated in both three and four year courses in 1870. Attendance, which had been very irregular, sometimes as low as 66 per cent, improved somewhat in the sixties and seventies, but was still low, and the lack of suit-

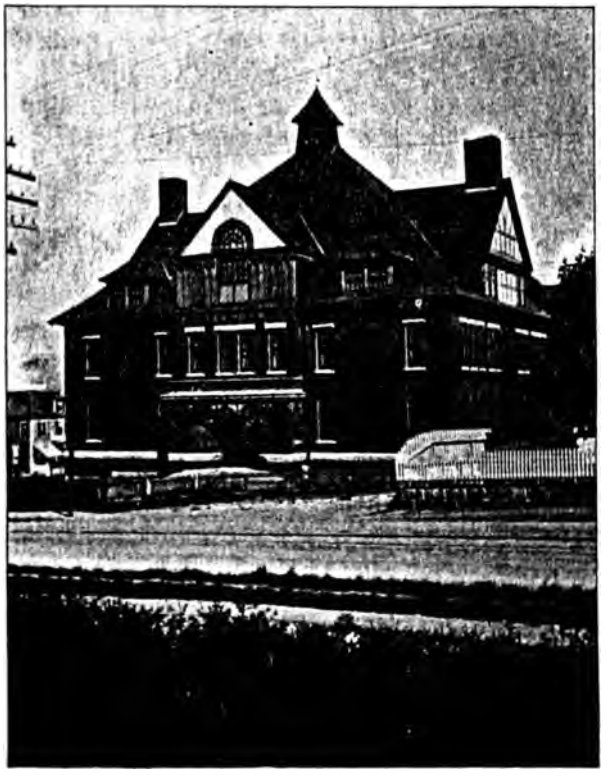
able preparation of students in the grammar schools was the burden of every year's complaint. An apology for a laboratory was put in the basement in 1875, and a beginning made in the experimental study of chemistry. Parents petitioned for one session in 1861 but were refused, to secure compliance with their wishes in 1867. The standard of the high school was lifted considerably by the addition of one year to the grammar school course in 1884, and the enlargement of the building in 1893 added still further to its opportunities. It now has twenty fine rooms including two excellent laboratories. It offers a choice of four courses, a college, which fits for any college or scientific school in America; a four-year classical course, which gives more advanced culture than most colleges did fifty years ago; an English course of three or four years, which is designed both for culture and as a practical preparation for life, and a manual training course of four years. A commercial course of four years will be added in September next. It now has nine men and eighteen women teachers, and an average attendance of more than 800 students.

Manual Training.

Although manual training is only one of several courses which may be taken in regular high school work, it is new enough and unique enough to merit a separate paragraph.

In the strictest sense any work done with the hands is manual training, and penmanship, drawing, etc., are all included in it. In the restricted sense in which the term is generally used, however, it means wood working of various kinds, forging, and machine shop practice. Its object is not to make craftsmen, or even to train the hand, though this valuable result naturally follows, but wholly to train the mind through the hand. Educators are now practically unanimous in holding that some phases of mental discipline can be reached far better through the hand than in any other way, and that some hand training is a necessity if the best results are to be attained. Such courses are very popular in cities which have good equipment for them, attracting usually about one-third of all the students in the high school.

Manual training, as a special course, was first begun in Lowell December 4, 1893, with evening classes of grammar school pupils in a room of the old City Hall. Attendance was voluntary, but the work was popular and successful from the start. In 1894, manual training, as a part of high school work, was made obligatory by statute, the law to go into effect in September, 1895. In loyal compliance



MOODY SCHOOL.

with the law, therefore, a course in manual training was arranged, a special teacher employed and work begun at the beginning of the fall term in two rented rooms in Odd Fellows' Block. The proposed course combined two academic studies with the hand work, which was carpentry for the first year, and like the evening work for the

grammar schools proved popular from the start. A year later the school was moved to the old Moody Schoolhouse, and will probably be placed in the High School annex now in process of erection, in September, 1900.

Training School.

In Lowell, as in all Massachusetts cities, teachers must always be selected, hired, and paid by the school committee. The men composing the city's various school boards have been, as a rule, citizens of good ability, high character, and unquestioned devotion to the good of the schools. Their selection of teachers has, therefore, generally been good, but not being all of them experts in educational matters there was always the possibility of an unwise choice, and there was, too, always the possibility that some man might seek and gain a place on the board for the purpose of working in some person in whom he was interested, to draw salary as teacher whether fitted for the place or not. To forestall possible evils of this sort, to take appointments not only out of any possible realm of politics but out of the reach of personal influences of all kinds, and make tested merit the only condition of acceptance, the committee of 1888 established the training school. Its rules provided that admission should be by examination; that in it young ladies should teach under wise and careful guidance, and that those who could teach well should be placed, in the order of rank and date of graduation, on a preferred list for an election sure to come when their turn was reached. Those who could not stand the test of practice were, of course, to be barred out at the start. The school was, therefore, primarily a test school. A second object was to give young women training as teachers for their own good and the good of the schools, and the third object was to provide teachers of experience to do temporary and substitute work. The system of selecting teachers thus inaugurated has properly been termed the "merit system," and in so far as it has accomplished the purpose of its founders it has been a credit to them and a benefit to the schools.

The school itself was first opened in a house on Worthen Street, with twelve pupil teachers in four rooms, and with a principal in charge as critic teacher and judge. The next year, 1889, the school was transferred to a new six-room house which had been built for it on Charles Street, and two assistants were employed to aid the principal. In 1890 the school was further extended to include six grammar rooms of the Colburn School, and in 1891 the two

COLBURN SCHOOL.

remaining rooms of the Colburn were also included, the principal of the Training School, to whom a third assistant had been given, being made principal of the Colburn so as to rank with grammar masters as respects power and salary. In 1897 the term for pupil teachers, which had previously been one and one-half years, was extended to two years, and in 1899 the standard of admission was

raised to include only graduates of colleges of the first class or graduates of the state normal school at Lowell, in the order of their rank at graduation from that school.

The Training School, at the present time, consists of four primary and nine grammar rooms in the Charles street and Colburn buildings, with an average attendance of about five hundred children who do the same work which they would do in other primary and grammar schools. The teaching is done this year by fourteen young ladies, two of whom are graduates of Wellesley College and twelve of whom are graduates of the Lowell Normal School, at a nominal salary of $200 a year. The course was shortened to one year when the standard of admission was raised. The supervising force consists of a principal and three assistants or critic teachers, and a varying force of regular room teachers who are employed as needed. The work done with the children compares fairly with work in similar grades elsewhere, and the cost of the school should not be greater than the cost of caring for the same number of children in other schools. Since its founding the school has graduated one hundred and fifty-two young ladies, and all who have continued to be applicants have been elected to permanent positions with the exception of a few members of recent classes for whom an election must soon come. The value of the training they have received is generally conceded, and in so far as the plan has made merit the basis of appointment it has commended itself to almost universal favor.

KINDERGARTENS.

Although children were admitted to Lowell's first schools at the age of four years the need of caring for them at a still younger age was seriously discussed in several early reports, but all plans for infant schools were finally rejected as involving too great expense. When, however, the kindergarten had demonstrated its value in many other cities, and a private kindergarten had been successfully conducted in our own city for several years, the demand for one in Lowell became so general that a beginning was

made in a room of the Dover Street Schoolhouse in September, 1892. This first kindergarten became at once so popular as to make it certain that others would soon be required, and to provide teachers for the same a normal training class was opened in January, 1893, in connection with a second kindergarten in the Training School building

BUTLER SCHOOL.

ing on Charles Street. This is believed to have been the first class of the kind in New England, the kindergartners of this section having been trained before this time in private schools, mostly in Boston. Its success here was immediate. Its graduates proved to be well equipped for their work. The demand for their services in Lowell and elsewhere was great, and they were elected here in

such rapid succession that in 1896 the city had twelve kindergartens with twenty-five teachers. This provides fairly for the city and the number has not since been increased, while its training department was transferred to the State Normal School when that institution was opened in Lowell, in 1897.

"The kindergarten should be maintained," says its present supervisor in Lowell, "because it lays the foundation for all the subjects taught in the primary grade. It establishes habits of order, neatness, obedience, attention, and concentration. It encourages self reliance, demands consideration for others, and requires the child to use all his faculties." If it does these things, and there is no doubt that it does to some extent, its value must be great. It is the most expensive of our schools; but the people believe in it, ask for it, get it, and for the most part pay the bills without grumbling.

Free Text Books.

In 1873 the legislature passed a law authorizing cities to furnish free text books to all pupils, permission to furnish books to children of indigent parents having been given and made much use of long before. December 28, 1880, the city council authorized the purchase of such books, and in September of 1881 their purchase and distribution was begun by the school committee. As indicating the extent to which books had previously been furnished to the poor it may be noted that $1,139.27 were expended in this way in the first half of 1881. The cost of the first supply of free books, for an enrollment of 9,472 children, was $14,861.67. The annual expense for several years thereafter, while most of the books were new, was from $4000 to $7000 but reached $10,000 by 1889. Last year with an enrolment of 12,874 pupils it was $14,070.70, an average of $1.09 for each pupil enrolled in schools above the kindergarten. Schools became free in reality as well as name only with the adoption of the free text book law, and its results are beneficial in so many ways that opposition to it has long since ceased. If the

sum above mentioned for 1899 seems large it should be noted that "books" in this statement include not only what we ordinarily think of as text books but all supplies of writing and drawing books, spelling blanks, note books, composition blanks, pencils, paper, etc., etc., to an amount which costs more than the real "text" books. Teachers, in fact, now ask for every conceivable supply which they think they or their children could use or enjoy, from a book, not on education, but "so good that it would make every teacher who reads it better" to "one large darning needle," use not stated. Some of these requests are refused, but the tendency is to be very liberal, and this expense is now intended to include the cost of all articles actually used by pupils in school, and which they would have to buy if they were not furnished by the city.

Supervision.

The work of supervising 60 schools with 107 teachers had become so great by 1851 that the committee of that year advised the appointment of a paid agent to do the detail work of the School Board. The matter being brought to the attention of the City Council the next year, the Aldermen voted to authorize the employment of such an officer, but the Common Council refused to concur. In 1856 the committee balloted for a superintendent several times, but no candidate could get votes enough to be elected. In 1858 a man was elected, but would not accept for the $1,000 offered as salary. In 1859 the committee elected George W. Shattuck at $1,000, but abolished the office the next year. Times were very hard in Lowell for a year or two just then. Teachers' salaries were reduced, and the salary of a superintendent saved. In 1863, with the advent of better times, the City Council passed an ordinance requiring the election of a Superintendent of Schools, but the School Committee made no haste to obey. In January, 1864, however, they elected Abner J. Phipps. The salary offered, $1,200, being too small to induce him to accept, the Chairman, Hon. Hocum Hosford, declaring that the best was none too good for Lowell, offered to raise the salary to a respectable figure from his own pocket, and Mr. Phipps took the place. The next year his salary was raised to $1,500, with $162 more

for duties as Secretary. He seemed to fill a long-felt want, and the reports of the School Committee for the next two or three years are filled with rejoicing for the wisdom which had led them to get somebody, and for the luck which enabled them to get so good a man. Mr. Phipps resigned in 1866 to take the office of Secretary of the State Board of Education, and was succeeded by Charles Morrill, who held the office until his death in 1884. George H. Conley was the next incumbent, but resigned in 1886 to take a Boston supervisorship. He was succeeded by George F. Lawton, who held the office for five years, getting after his resignation an appointment as Judge of Probate. All of these men had been grammar masters, and all but Mr. Morrill, who died in office, resigned to get better positions elsewhere. A. K. Whitcomb, the present incumbent, was elected in 1891.

Evening Schools.

The first evening schools in Lowell were provided through the philanthropic efforts of individuals or associations before the time when the city had the right even if it had the wish to sustain them. In 1851 the Lowell Missionary Association, which had then maintained such schools unaided for seven years, asked and obtained from the City Council a grant of $50 to assist in paying expenses. Similar appropriations, though for larger amounts, continued to be made until 1857, though the right to make them was questioned and the proposed payment of $500 in 1855 was stayed by an injunction from the supreme judicial court. In 1856, however, a law was passed (sections 7 and 8, chapter 38 of the General Statues), giving to cities and towns full power to open and maintain evening schools for the education of persons over fifteen years of age. The School Committee of the next year promptly took advantage of the new law, and established as public schools two evening schools which had previously been conducted by the Rev. Horatio Wood as private schools, Mr. Wood being continued in charge. The appropriation for expenses, $450, was too small to pay for teachers, and this need was supplied by unpaid volunteers to the number of 55, the attendance amounting to 900, and the schools being kept open two nights in the week.

This "union of charitable endeavor and city superintendence" lasted for two years, but proved satisfactory to neither party, and was dissolved in 1859, Mr. Wood reopening one of the schools under the auspices of the Missionary Association and the other being abandoned. In its place the committee opened schools in the Mann and Green School buildings, paying the men teachers one dollar and the women fifty cents per evening, and securing an attendance of 490 pupils. Each

VARNUM SCHOOL.

teacher cared for forty pupils on the average, a number which would now be considered far too large, but an examination at the close of the term was claimed to have shown most excellent results.

The same schools were continued with a slightly larger attendance in 1860, but were thereafter discontinued until 1869, when they were reopened, the one at the Mann being trans-

ferred to the Free Chapel on Middlesex Street, where the average attendance was 107, while the one at the Green had an average of 134. The same schools were continued in 1870 with a principal and eighteen teachers at the Green and a principal and four teachers at the Free Chapel. The schools were kept forty evenings, with an average attendance of 269, and at an expense of $766. One or more police officers were assigned to each school to assist in preserving order. The next year the length of the school term was increased to 55 evenings, and the School Committee refer to the schools with much pride as being "a great success." In 1872 additional schools were opened in Mission School houses near Davis' Corner and in Centralville. In 1874 another school was opened in the Primary School house on High Street, the term was lengthened to 64 evenings, 60 teachers were employed, and attendance increased to 595, with such improvement in deportment that the hope was expressed that the regular services of a police officer might eventually be dispensed with.

In 1883 the Legislature of the State first recognized the necessity for evening schools by passing a law requiring all cities of ten thousand or more inhabitants to maintain evening schools for the instruction of persons over the day school age, which was then but twelve years. The schools which Lowell had sustained for more than thirty years because their need had been recognized henceforth became compulsory. Whether this action of the Solons at the State House had any effect upon the action of the School Committee can not now be told; certainly there was no necessary connection, yet it is true that the School Committee of 1883 took the greatest forward step which had ever been taken after the schools were first opened, the use of day school buildings for evening schools. Before this time all evening schools had been held in basements, halls or ward rooms. The statement made a few lines back that an evening school was held in the Green School building did not mean at all, as it would now mean, that the comfortable seats of regular school rooms were so occupied, but only that the basement was the home of an evening school. Into such ill-lighted, utterly unventilated and unsanitary quarters a lot of long tables were placed around which pupils, some-

times numbering several hundred, sat or stood, with a teacher at each table. This was school keeping under difficulties, surely. Each Committee on Evening Schools, for a dozen years, had been trying to bolster up its own courage even more than trying to influence the community by saying that the schools certainly did good, that they were growing better, that they ought to be sustained, and so on, but the fact was they all knew that there was so much that was bad about them

ABRAHAM LINCOLN SCHOOL.

that they did not know what to do with them. To civilize the scholars the first and most necessary thing was to give them the quarters and the treatment due to civilized beings, and to better treatment pupils responded in kind, as they always do. It is not to be supposed that a change of quarters cured all ills at once; there was still much to do, but it was a great step in the right direction and the schools have been growing

better ever since. In 1884-5 schools were held in nine school buildings, and the average daily attendance, which had averaged about 500 for several years, rose to 841.

In 1885 the next great advance was made in the election of a special supervisor for the evening schools. Henceforth they were to be no longer a mere appendage to the more important day schools; they were to be a department by themselves, with a recognized head of their own. Mr. John A. Smith, the first supervisor, was admirably adapted to his work, and to him from this time on the evening schools owe more than to any other one man. In his first report he recognized and emphasized the one remaining need of the schools, last but not least by any means, the need of able, earnest and experienced teachers. Into the High School he got six college graduates and three specialists in a corps of nine teachers, and if he did not secure equal efficiency in all the elementary schools it was not his fault.

In 1887 the Legislature again showed its interest in evening school education by passing a law making attendance upon such schools compulsory for all minors over 14 years of age who can not already read and write in English. This at once brought into the schools many who though ignorant were indifferent to the advantages of education, and so largely increased the attendance, which rose in 1878 to 1,505. From this time on attendance increased every year until it reached high water mark with an average of 1,912 in 1893-4. Since that time it has decreased. The hard times of the next four years prevented as many illiterates from coming to Lowell as would otherwise have sought work in our mills and so have swelled our evening schools, while of those who remained in the city nearly all had learned to read and write, a result due in very many cases to excellent work done in the very schools whose numbers showed the greatest falling off. The average attendance in the schools this year has been 1,553, the attendance being greatly decreased this winter, beyond any doubt, by the fact that many who would be glad to come are forced to work evenings in those mills which are doing night work. It seems probable, too, that an excessive number of exemptions have been given for alleged physical incapacity. No one

has been exempted without a physician's certificate of disability endorsed by one of the ward physicians. When, however, exemptions of this kind had reached 188 in the first five or six weeks of the term it was decided to grant no more, and some of those already granted were withdrawn. If a person is able to work it seems fair to assume that he is able to go to school in all but a few exceptional cases, and in such cases only will exemptions be granted in the future. And if

HIGHLAND GRAMMAR SCHOOL.

the statement here made saves a hundred or two young men and young women from paying fifty cents apiece for doctor's certificates it will at least serve one useful purpose.

A class for advanced pupils, the beginning of a High School, was opened in 1876, in the hall of the Green School house, with one teacher at $2 per evening and 25 or 30 pupils. In 1880 it was driven from its first home by the coming of an

evening drawing school to the Green School hall, and found an abiding place, which would now seem to us much more like a hiding place, on the third floor of the Worthen Street building. Its numbers had not materially increased, and one teacher still sufficed, though another was added in 1881. Two years later the school was moved to rooms in the High School building on Kirk Street, and numbers doubled at once. In 1885 the school had grown to an average attendance of 219, with nine teachers. In 1886 a course of study was made looking to a diploma at its completion, and three years later there was graduated a first class of twelve. Chemistry had been taught for several years, but a regular course in this study was first arranged in 1889, and three students graduated in it in 1892. A class in stenography and typewriting was also represented by two graduates in a two-years' course in the same year, A business course, first arranged in 1899, is now proving very popular, having an average number belonging of 76. The school is now so well established that it can make all its courses thorough and systematic, and for students who can only command their evenings its advantages can not, we believe, be duplicated anywhere in the city. The school now employs eighteen teachers, and has an average attendance of about 450 students. The curriculum includes arithmetic, bookkeeping, penmanship, English grammar and literature, rhetoric, algebra, geometry, general history, civics, chemistry, French, German, stenography, typewriting, elocution, commercial arithmetic, commercial law, and business correspondence.

The evening schools as a whole now include eleven Elementary Schools and one High School, with an average attendance of about 1,500. They are held four evenings in the week, from 7.15 to 9.15 o'clock. They give employment to 132 teachers, and cost for the term of 1898-9 $13,477 for salaries to teachers and janitors, a sum less by $4,738 than three years ago. In the Elementary Schools a majority of those who attend are simply learning to read, write and spell, and to do some such work in numbers as is required in the life of all citizens. The schools, however, all have advanced rooms where grammar, composition, history, geography, advanced arithmetic, etc., are taught. They are graded as far

as possible, and graduate classes for the evening High School each year. The number of pupils to the teacher averages about fifteen, an average of less than twelve in any one school being followed by a reduction of the teaching force. Nearly all the teachers have had long experience in the work, are well qualified for it, and should be retained as long as they are willing to serve. Such qualifications are required of evening school teachers (those who are not graduates of a High

PAWTUCKET SCHOOL.

School being required to pass an examination to get a sixth grade certificate) as to bar out those of very deficient scholarship, but among those who manage to get certificates there is still a very wide difference in ability and zeal, and the opportunity to greatly serve the schools and their pupils by the exercise of a wide discretion in appointments is very great. In the High School none but college graduates should be appointed unless under very exceptional circumstances.

THE CATHOLIC CHURCH IN LOWELL.

P. J. LYNCH.

The growth of Catholicity in Lowell has been most remarkable. In probably few cities in New England has the record of progress been surpassed. Seven magnificent churches are to-day the visible manifestations of this growth and progress, and to this should be added the many charitable and educational institutions which are among the proudest achievements of the Catholics of Lowell.

Of the six parishes in Lowell five have their own schools for the education of their young people, and in all cases these schools have been noted for the efficiency of their teachers, and the high standard of excellence maintained in their courses of study.

In addition to this the Catholic charitable institutions in Lowell are among the best of their kind, a splendid specimen being St. John's Hospital, one of the finest institutions of the kind in the state. The growth of churches and institutions is only the measure of the great growth of the Catholic population of Lowell during the last sixty years. When the first Catholic church was established in Lowell in 1831 the Catholic population numbered only about 600. They then only numbered about one-thirtieth of the whole community, but at the present day the Catholics of Lowell number about 50,000, or about half the population.

St. Patrick's Church.

St. Patrick's, the oldest Catholic church in Lowell, was established when Lowell was little more than a country town. The building of the big cotton mills in the twenties attracted to Lowell a large number of laborers and quite a number of them were Irish Catholics. They settled in large numbers

in that portion of the city which has scince been familiarly known as the "Acre." Their religious feelings glowed warmly within them and soon arrangements were made to have the holy sacrifice of the mass offered up among them. The first mass of which there is any record was celebrated in 1822 for the benefit of the "Irish Camp." Religious services were carried on at irregular intervals for a few years, but as the number of Catholics kept growing it became necessary to provide more regular services, and in 1827 they were placed under the spiritual charge of Rev. John Mahoney who had until then had charge of the Catholics of Salem.

Bishop Fenwick visited the Catholics of Lowell on Oct. 28, 1828, and at this time mass was offered up in the Merrimack Company's school on Merrimack Street. The year 1830 saw the Catholic contingent increased to about 400 and under the guidance of Father Mahoney they began the erection of a church on land donated by the Locks and Canals Company. This was a frame building 70 feet long by 40 feet wide, and in 1831 it was completed.

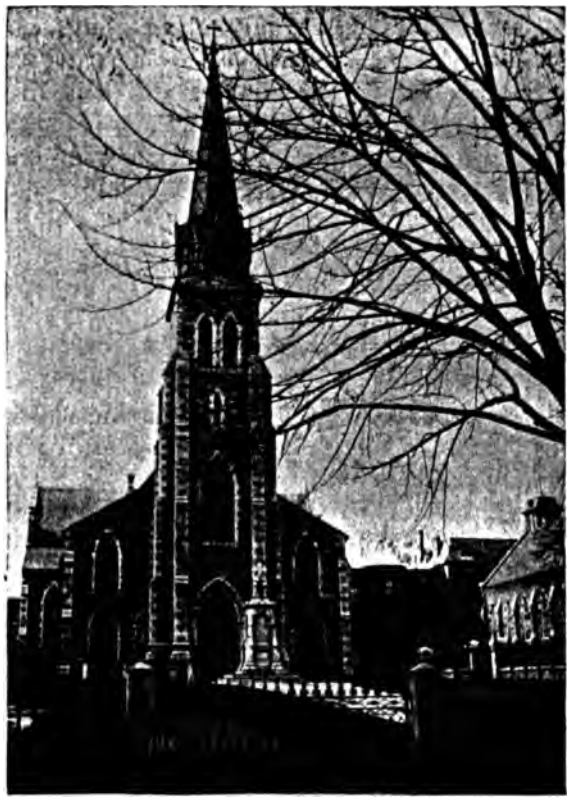
The dedication took place on July 3, 1831, and thus was founded the first Catholic church in Lowell.

Father Mahoney remained till 1836, when he removed to St. Augustine's Church, South Boston. He was succeeded by Father McCool, who remained until 1837 and was succeeded by Father McDermott. In December, 1839, Father Conway came as his assistant.

The old church building soon became too small and in 1846 Father McDermott purchased from the Methodists the building known as Wesley Hall, at the corner of Lowell and Suffolk Streets. This was fitted up for Catholic worship and dedicated on March 8, 1847, by Bishop Fitzpatrick. This became known as St. Mary's Church. In December 1848 Rev. John O'Brien came to St. Patrick's, and in 1851 came another man of very strong personality, Rev. Timothy O'Brien, an elder brother to Father John. Under the guidance of the two energetic brothers the parish grew rapidly and a new church was decided on. In 1853, on July 4, the corner stone for the present St. Patrick's church was laid and on Oct. 29, 1854, the church was dedicated. It is one

hundred and seventy feet long and one hundred feet wide. The architecture is Gothic of the XIII Century, and the building is of granite. The seating capacity is about 2,000.

Father Timothy O'Brien died on Oct. 11, 1855, and Rev. Father McNulty came as assistant to Father John. In 1867



ST. PATRICK'S CHURCH.

the present pastor, Rev. Michael O'Brien, came from Rochester, New York, to assist his uncle, Father John.

In the early sixties another charge was added to St. Patrick's. The Catholics of Chelmsford had become numerous enough to require a church of their own, and a building used by the Congregationalists at Middlesex Village was pur-

chased and removed to North Chelmsford where it was fitted up as a place of worship for the Catholics of the district.

In 1870 Father John O'Brien passed away, and the mantle of succession fell on Father Michael, his nephew. The latter lost no time in pushing on the good work inaugurated by his predecessor, and he began to make several important improvements in the parish.

He enlarged the basement, converting it into a handsome chapel. Then he turned his attention to clearing the church from debt, and having soon realized his wish in this respect he began to make arrangements for the consecration of the church. This impressive ceremony took place on Sunday, Sept. 7, 1879.

When in 1889 Father O'Brien attained the fortieth anniversary of his ordination, the whole congregation united in celebrating the occasion, and on Sunday, Feburary 24th, addresses were presented him by most of the societies belonging to the church. But they went further and in honor of the occasion they subscribed enough money to purchase a chime of bells to be placed in the church tower, the feeling being for some time that this was the only thing now lacking in the church.

The bells were finished early in 1890, and on February 9th, the ceremony of blessing them took place.

The next great work was the placing of two magnificent marble shrines in the transepts of the church. The money for this purpose was also subscribed by the congregation, and in November of 1892 the new shrines were placed in position. On November 20th they were consecrated.

The latest work undertaken in the parish was the founding of a home for aged women and working girls.

On Wednesday, July 8, 1899, the golden jubillee of Father O'Brien was celebrated with impressive ceremonies in the church, Archbishop Williams and a large number of clergymen being present.

St. Peter's Church.

St. Peter's Church is the second oldest in Lowell. Since the founding of St. Patrick's church in 1831 the number of

Catholics had been steadily growing and ten years later the need of a second church was apparent. Many of those attending St. Patrick's church lived away over on the other side of the city, especially in the district known as "Chapel Hill," and they considered that they were entitled to a church of their own.

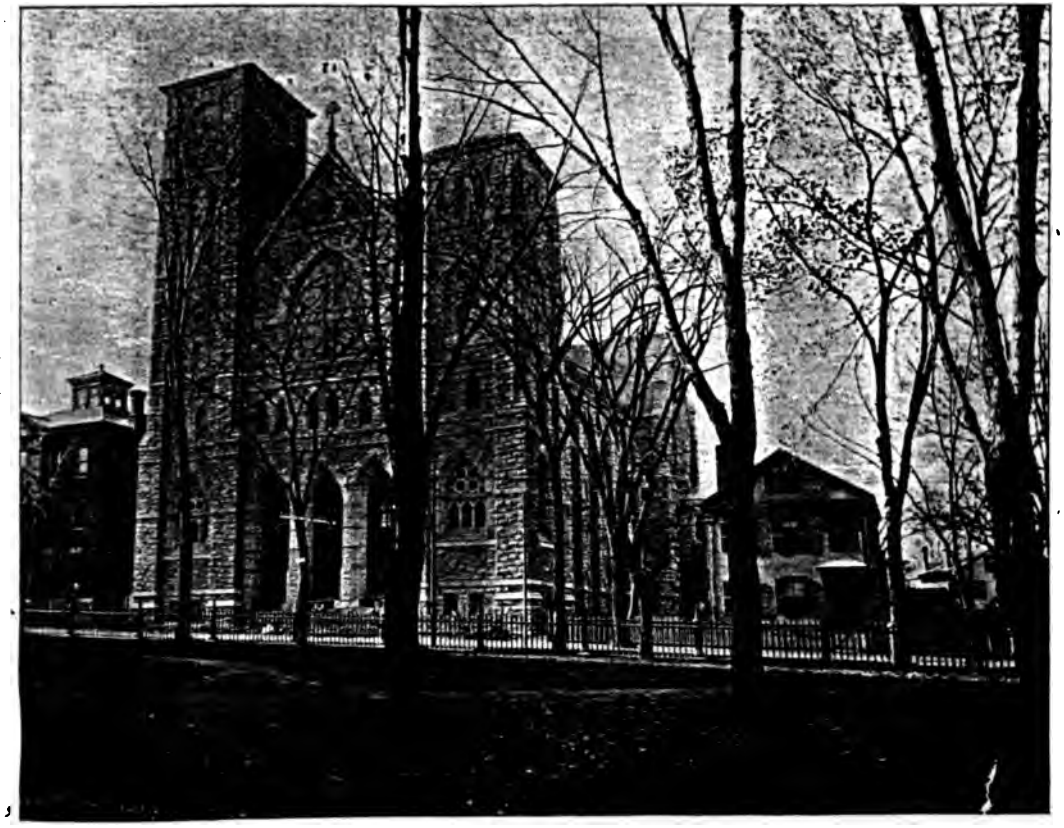
On the other hand there was considerable opposition to any division of the parish, but finally the matter was decided at a special meeting of the parishioners of St. Patrick's held early in 1841. Bishop Fenwick presided and the arguments for and against the second church were presented by both sides.

Bishop Fenwick seemed to be rather impressed with the arguments of those who favored a second church, and to test the matter more fully he called upon all who would be willing to subscribe $100 each to the erection of a new edifice to stand. Some 70 or 80 men arose in their places and this seemed so conclusive an argument that then and there it was decided to build a second church.

A site was soon selected at the corner of Gorham and Appleton Streets, on land purchased from the Hamilton Corporation. A building committee was selected, prominent among the members being Owen Donohoe, John McNulty, Hugh Monahan, Hugh Cummiskey and Charles M. Short. The contract for the building was given to Reed & Powers. The new church was of plain brick, about 90 feet long by 60 feet wide, and the cost was about $22,000. The first services were held on Christmas Day of 1842, and Rev. Father Conway, who had severed his connection with St. Patrick's when the new church was begun, took charge of the new St. Peter's Parish.

Stevens of Cambridge was given the contract for the new organ and Mr. John Quinn took charge of the choir. The church was not fully completed until 1843, and in October of that year the edifice was dedicated. The pews were sold at auction, each purchaser being given a deed signed by Bishop Fenwick himself. The pews brought high prices, those nearest to the altar bringing $200 and upwards.

The new church grew and prospered. Father Conway remained till 1847, when failing health compelled him to take



ST. PETER'S CHURCH.

a Southern trip and Father Crudden was appointed substitute. The latter was later confirmed as pastor at St. Peter's and Father Conway was transferred to Salem.

Father Crudden made many improvements. He purchased the land and brick building on Appleton Street now known as St. Peter's Orphan Asylum and placed it in charge of the Sisters of Charity, whom he introduced into the city at this time. He continued in the pastorate until 1883, when he resigned on account of ill health and was succeeded by Rev. Father Ronan, the present pastor.

Father Ronan took charge on Aug. 8, 1883, and he immediately began an extensive series of improvements. He first enlarged and improved the basement. He extended it the full length of the church above, put in a new floor, new lights, a new organ, and made so many improvements in the place that the old basement could scarcely be recognized. A handsome new marble altar was placed in the basement and four confessionals were also put in. The consecration of the new altar took place on Sunday, Dec. 10, 1883.

The parish grew and prospered and soon it became evident that a new and larger church would be a necessity. It was decided to secure a site further south on Gorham Street, and arrangements were made to sell part of the land on which stood the old church to the federal government for a site for the proposed new postoffice building.

There was quite a contest as to which section of the city would secure the new federal building and when the announcement was made that the Massachusetts Corporation offered the government a free site it seemed for the moment as if the supporters of St. Peter's site were beaten.

But a new line of action was soon decided on. It was determined to form a company called the Lowell Land Company, and to secure and bond both the church and parsonage lots, the plan being to keep the parsonage lot for an investment and to open a subscription to pay for the church lot, so that it could be presented to the government.

Those in the movement expected to be reimbursed from the increase of land values in that section due to the erection

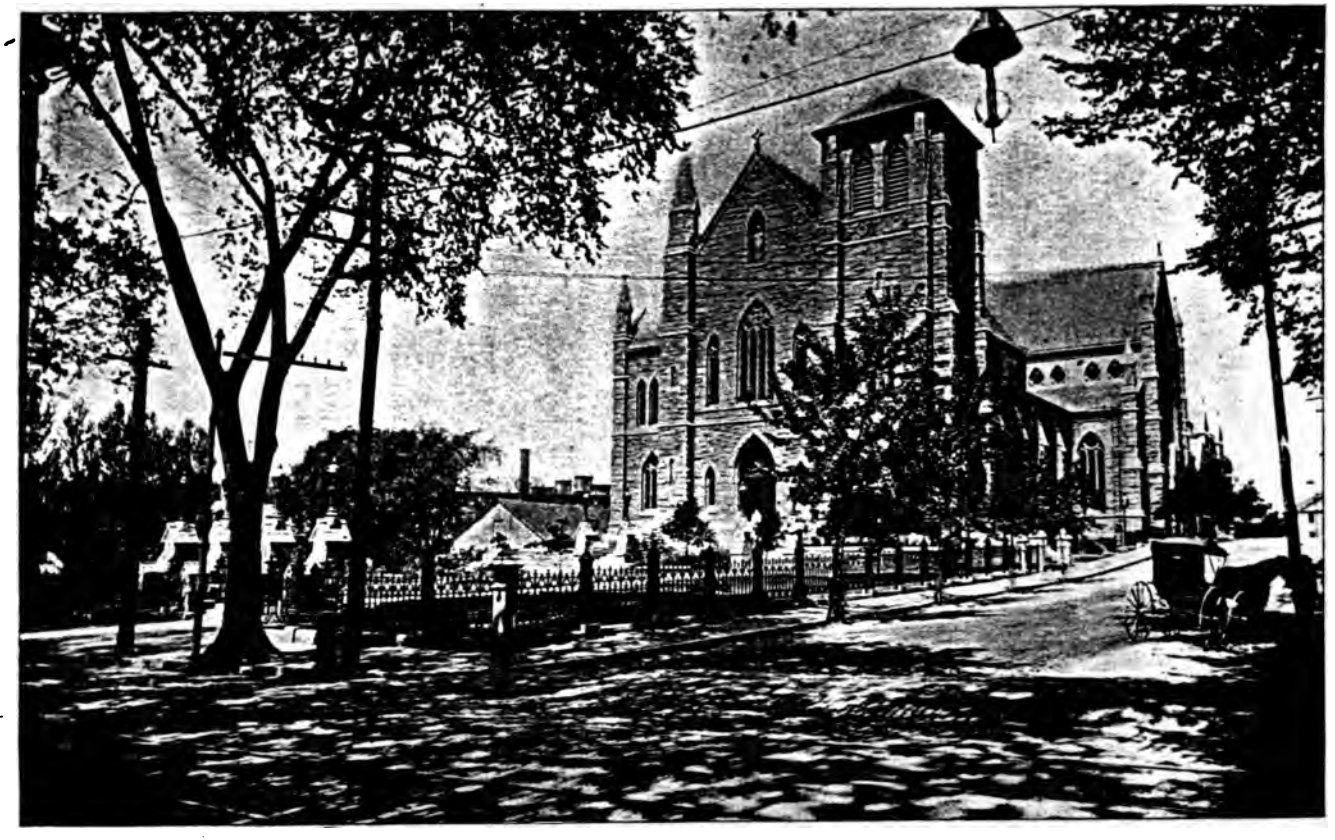
there of the new postoffice. The required sum was quickly raised and the St. Peter's site was presented to the government.

In order to allow the immediate erection of the postoffice building the old St. Peter's Church had to be pulled down, and as the new church could not be ready for some years it was decided to build a temporary church of wood on Gorham Street, quite near the site chosen for the new church. This temporary church was a frame building 120 feet long by 90 feet wide, and 18 feet high. The pews were taken there from the old church and seating capacity was provided for 1500 people. Services were held there for the first time on Sunday, April 27, 1890.

On May 20, 1890, was commenced the demolition of the old St. Peter's church and in a few weeks the whole edifice had disappeared. The site for the new church was secured on Gorham Street, just opposite the court house and on the same lot it was planned to build a parochial residence. The residence was first begun and it was finished in about a year. The plans for the new church were completed at about the same time, and in the summer of 1892 the foundation was finished. The corner stone was laid on Sunday Sept. 11, 1892. In the morning solemn high mass was celebrated by Vicar-General Byrne at the temporary church. Father McManus and Father McKenna of St. Peter's were deacon and sub-deacon respectively, and Rev. Fr. Walsh of St. John's Seminary was master of ceremonies. Rev. Father McManus of South Lawrence preached the sermon. Archbishop Williams was present, attended by several clergymen.

The corner stone was laid in the afternoon. A temporary floor had been constructed covering the whole of the basement of the new church, with an immense awning overhead as a protection against rain. Previous to the opening of the exercises the Hibernian lodges of Lowell marched in procession to the church. The exercises were conducted by Archbishop Williams who laid the stone, and the sermon was preached by Dr. Garrigan of the Catholic University at Washington.

The new church which was finished during 1900 is one of the most beautiful churches in the archdiocese of Boston.



IMMACULATE CONCEPTION CHURCH.

Its greatest length is 196 feet and it is 91 feet across the facade. The nave is 85 feet wide. The height from floor to ceiling is 67 feet. Two towers rise from the east side, fronting on Gorham Street. One is to be 196 feet high and the other 170 feet. They are 26 feet in diameter at the base, There are five altars in the church and five more in the lower chapel. The designer of the edifice was Mr. P. C. Keely of Brooklyn, the building is of granite and the architecture is Campanillo Gothic.

Immaculate Conception Church.

The Church of the Immaculate Conception is one of the finest in the diocese. It is in charge of the order of Oblates. The introduction of the order into Lowell dates from 1868. In that year Bishop Williams had a conference with Father Vandenburg, provincial of the Order of Oblates in Canada, with a view of securing a Canadian priest to take charge of the fast growing colony of French Canadians in Lowell. In 1868 Father Vandenburg sent two priests to Lowell to preach a mission to the French. They were Rev. Andrew M. Garin and Rev. Father Sagier.

The two priests took up their residence at St. John's Hospital and conducted the services at St. John's chapel, connected with that institution. Father Garin soon purchased a building on Lee Street and founded St. Joseph's Church. In a short time it was deemed desirable to have St. John's chapel placed wholly in charge of the Oblates and arrangements were made with Sister Rose, then superior at St. John's Hospital. The chapel thus became a parish church and this was the foundation of the Immaculate Conception parish.

In a short time a new church became a necessity and a site was secured on which the present church stands. The plans for the new edifice were made by Keely of Brooklyn. Work was begun in April, 1871, and the corner stone was laid on December 30th of the same year. There was a grand street parade of societies, with Maj. Mathew Donovan as marshal. The stone was laid by Bishop Williams and the sermon was preached by the Rev. James Lonergan, of Montreal.

In the summer of 1872 the basement was finished. It was blessed on July 7, 1872, high mass being celebrated by Father Vandenburg. The sermon was by Bishop Williams. In 1877 the church proper was finished, the dedication being on June 10th. The sermon was preached by Bishop O'Reilly, of Springfield. Solemn high mass was celebrated by Rev. Father Antonio, provincial of the Oblates.

The church is 192 feet long, 70 feet high, 76 feet wide in the nave and 109 in the transepts. The design is modern Gothic of the cruciform style and the building is of granite.

There are 322 pews and the seating capacity is about 2000.

One of the most notable objects in the church is the magnificent marble altar which in 1888, replaced the one previously used. On Nov. 24, 1878, occurred the translation of the relics of St. Veracunda. The anniversary has been since observed annually.

Early in 1889 work was begun on the splendid parochial residence at the corner of Stackpole and Fayette Streets. In 1892 the lot in front of the church, facing on East Merrimack Street, was purchased. The ground was cleared and a beautiful lawn named Columbus park was laid out in front of the church.

On October 2, 1893, a statue of the Immaculate Conception was placed in the niche near the top of the gable, on the Merrimack Street side. It is eight feet high and weighs 1900 pounds. Many other improvements have been made under the direction of Rev. Father Joyce, the popular pastor, and the church is one of the best equipped in the archdiocese.

St. Joseph's Parish.

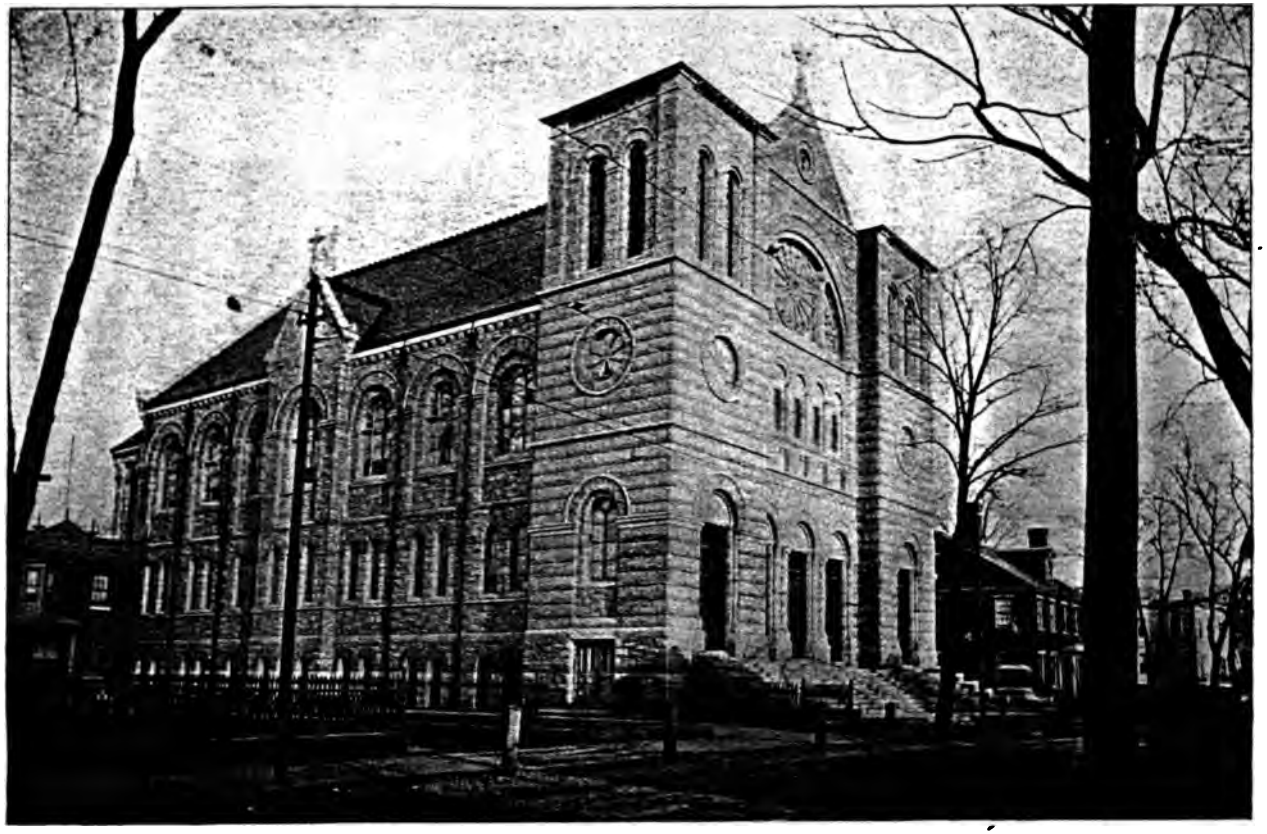
St. Joseph's parish was founded in 1868 when Rev. Father Garin purchased a building on Lee Street for a church edifice. There were then about 1200 French people in Lowell, and they generally attended services at St. Patrick's Church.

The building on Lee Street was owned by the Unitarians, and was used for religious purposes by the Spiritualists. The price paid for it was $11,500.

The necessary preparations were quickly made, and the first services were held in the new church on the first Sunday in May of 1858. The church was named after St. Joseph. The French colony kept steadily growing, and it soon became necessary to provide more room for the congregation. A gallery was erected around the sides of the

ST. JOSEPH'S CHURCH.

church, which made it about eighty-three feet square in size. Its size previously was 83 x 47 feet. Some years later a fourth addition was made, and the church now measures 150 feet long and 83 feet wide. On account of the galleries it has probably a larger seating capacity than any church in the city.



ST. JEAN BAPTIST CHURCH.

The growth of the French colony went on at a remarkable rate, and about 1889 it became evident that one church could not accommodate them all. Accordingly, Father Garin began to make preparation for building a second church, and in that year he purchased what was known as the Shaw estate on upper Merrimack Street. Plans for a magnificent new church were made by Architect Ford of Boston, and the edifice was named after St. John the Baptist.

The basement of the new church was finished early in 1890, and services were held there until 1896, when the church proper was finished. The building is of granite, and it looks massive and imposing, with its two tall towers on either side of the main entrance. It is 170 feet long, by 70 feet wide.

The basement was dedicated on Sunday, July 2, 1890, the services being conducted by Rt. Rev. Bishop Clut, and the sermon was by Father Angier, provincial of the Province of Canada. On the following day, July 3, the new altar was consecrated.

Shortly before the purchase of the Shaw estate, Father Garin bought the Bonney estate adjoining it, and on this a parochial residence has been erected.

The house is 106 feet long, 42 feet wide, and three stories high. It is fitted up to provide accommodations for a community of twelve fathers.

Father Garin's latest work was the purchase of a tract of about thirty-four acres in East Chelmsford, to be used as a cemetery. The number of French people in Lowell is estimated at over twenty thousand, most of whom belong to St. Joseph's Parish.

St. Michael's Church.

The parish of St. Michael was created in 1883 when the division of the several parishes in Lowell was decided upon. A lot of land was secured on Sixth Street and on Dec. 10, 1883, ground was broken by Rev. William O'Brien, of St. Patrick's, who was named pastor of the new church. On Sunday, April 7, 1884, the corner stone was laid by Archbishop Williams. There was a procession of societies, with Mr. Michael Corbett as chief marshal.

The sermon was by Rev. Father O'Conner, S. J., of Boston College. In the meantime the engine room on Fourth Street had been fitted up as a place of worship for the benefit of the people of Centralville while their new church was being completed.

ST. MICHAEL'S CHURCH.

Work on the basement of the new church was pushed rapidly and in June of 1884 it was ready for services. On Sunday, June 22, 1884, it was blessed by Archbishop Williams. It was handsomely finished and for some years it made an excellent temporary church. The building is 135 feet long by 70 feet wide, the seating capacity being about 1200. The church proper was finished in 1896.

In 1884 Father William O'Brien purchased a lot of land on Seventh Street, adjoining the church, and on this a fine parochial residence was built. In 1887 he bought another lot adjoining the church and on this he built a parochial school. The building is 60 feet wide by 64 feet long, and three stories high.

SACRED HEART CHURCH.

When Centralville was formed into a parish the district known as Collinsville was added to it, but as it was some three miles or more from St. Michael's Church it was found necessary to provide for the Catholics living there. This led to the erection of St. Mary's Church in Collinsville. It was dedicated on Aug. 24, 1884.

Sacred Heart Church.

In 1884 it was thought desirable to have a parish created for the convenience of the people residing in the southern

part of the city, and in a short time a lot was purchased on Moore Street on which to erect a church. The movement was directed by the Oblate Fathers, and on Easter Monday, in April of 1884, the ground was broken by Very Rev. Father Soulier of Paris, the first assistant general of the order. This was the beginning of the church of the Sacred Heart.

A fair was held to assist in raising funds, and work on the basement was soon begun. It was completed in August of 1884, and on the tenth of that month it was dedicated by Archbishop Williams, solemn high mass being celebrated by Rev. Father Lefevre of Montreal, the provincial of the order.

The idea was to use the basement for regular services for some years, until the main church could be built. The length is 145 feet, and the width 64 feet. The seating capacity is about 1200. Work on the church proper kept going on, the corner stone having been laid in June of 1896.

The building is of brick, with granite trimmings.

St. Andrew's Church in Billerica is also in charge of the clergymen at the Sacred Heart Church.

Catholic Parish Schools.

St. Patrick's Parish has a splendid system of education. The school and academy connected with the convent of Notre Dame are probably not excelled by any institution of the same kind in New England. The convent was established in 1852, five sisters arriving from the Mother House in Cincinnati, in September of that year. The "Know Nothing" movement soon reached Lowell, and the convent had to bear its share of the anxiety of those days.

The institution has since grown until, to-day, it is a model of its kind. In the parish school the girls get the equivalent of the "grammar" course in the public schools, while in the academy the higher branches are taught. The young ladies who graduate from this institution are fitted to take their places in any sphere of life.

St. Patrick's School for boys is in charge of the Xaverian Brothers. It was opened in September of 1881, and generally there are about 600 pupils in charge of a dozen teachers.

In the Immaculate Conception parish is a school in charge of the Gray Nuns. The school was opened in September of 1881, and six sisters were placed in charge.

The building is 100 x 50 feet, and four stories high. The average attendance is about 550.

In the French parish, St. Joseph's, there is a school for girls, and a college for the boys. The college was built in 1892, and was placed in charge of the Marist Brothers, or "The Little Brothers of Mary," as they are sometimes called. The building is 100 feet by 80, and four stories high. There are now over 1,100 pupils, and some 17 or 18 teachers. The school for girls is in charge of the Gray Nuns. It is 35 feet long and 70 feet wide, and four stories high. From 1,500 to 1,800 children are accommodated. The school was opened in 1883.

St. Michael's Parochial School is in charge of the white-robed Sisters of St. Dominic. It was opened in 1889, and the attendance is about 600. The building is of wood, 60 feet by 64, and three stories high.

The Sacred Heart Parochial School is in charge of the Sisters of St. Mary. It was opened in 1892, and the attendance is about 300.

St. John's Hospital.

St. John's Hospital began in a small way in January, 1867, when a piece of land was purchased in Belvidere and the deed passed to Sister Emerentiana, Superior of the Sisters of Charity then at St. Peter's Asylum. The property consisted of 48,839 square feet, and on it was a frame building known to fame as the "Old Yellow House." The price was $12,500. The next step was the incorporation of the hospital. The old building was remodelled and the Sisters were soon able to provide for about thirty patients.

On May 1, 1867, the institution was formally opened. In a year it was found necessary to erect a new building. This

was in reality the first building of the hospital proper. It was of brick, four stories high and fronting on Bartlett Street. The size was 60 feet by 40. In 1869 the building was ready for occupancy. In a few years the work had grown to such an extent that another building was a necessity and the "Annex" was built. This addition was of brick, three stories high, and 60 feet by 52 in size. In this annex is located the chapel, which is one of the prettiest of its kind. It is 50 feet long by 20 feet wide.

In 1888 was commenced the work of the Out-Patient department. This has proved a remarkable success. The next work was decided upon in the fall of 1893, when another annex was begun on the western side. It is 50 feet long by 30 feet wide. It was completed in 1894. A training school for nurses is a valuable feature added at a later date. The institution is practically the city Hospital for Lowell, and it is a pride to the city.

St. Peter's Orphan Asylum.

St. Peter's Orphan Asylum was founded in the fall of 1865, the Sisters of Charity arriving here on November 23d of that year. From the outset the work prospered, so that in 1874 it became necessary to enlarge the capacity of the building. In 1877 the Sisters of Charity were withdrawn and the institution was placed in charge of the Nazareth sisterhood. About seventy-five orphans are generally accommodated in the institution.

MR. P. J. LYNCH.

Mr. P. J. Lynch, who has contributed the article on "Catholicity in Lowell" to the present work, has been generally regarded as a son of Lowell, for he made this city his home since he arrived from Ireland about ten years ago till he left some time ago to join the editorial staff of the Boston Post. A recent number of the "Gael" says of Mr. Lynch.

"He came to this country a mere boy ten years ago and in that time he has not only attained first rank in his chosen profession of journalism, but he has done a large amount of literary work as poet, historian, and contributor to several magazines and periodicals.

"It would be difficult to find a finer type of the many-sided man, for he is remarkably gifted both physically and mentally. He is an all round athlete, with a great fondness for all out-door sports, is proficient as a yachtsman, horseman, oarsman, and cyclist; can run and jump, and can swim five miles as easily as one.

"One of his chief characteristics is an intense hatred for every form of injustice and oppression—a trait inherited from a long line of Irish ancestors who have been identified with the struggle against English misrule."

In addition to his other attainments Mr. Lynch is gifted with business ability such as is rarely associated with literary talent. He is interested as stockholder in several Lowell industries, including the Fifield Tool Company, the Harvard Brewing Company, the Lowell Co-operative Bank, the Lowell Trust Company, and has also some real estate in this city. He has also some investments in gold and copper mining properties. He is a young man of high ideals and much strength of character. He is full of strength and energy, and is blessed with such a robust constitution that he has not been sick a day in a dozen years.

MR. P. J. LYNCH.

THE PROTESTANT CHURCHES OF LOWELL.

REV. RANSOM A. GREENE.

The idea in the mind of the writer of this article, is not so much to give an historical sketch of the forty or more organizations in this city, known as Protestant churches, as to give some brief account of the ten or a dozen denominations of the Protestant branch of the Christian church, that may be found in Lowell. Necessarily, this article to some extent, must be a repitition of similar articles that have at different times appeared elsewhere. Credit is due to such articles and to various persons who have kindly supplied the information otherwise lacking.

When we consider the population of Lowell, and the number of people in modern times that have little, if any disposition to regularly go to church, it is apparent that our city is not lacking in places for Christian worship. Our schools may be crowded, and need increasing, but our churches are not crowded, and would bear additional numbers, without danger of straining the walls of our church edifices. I do not mean that the Protestant churches of Lowell are languishing for want of numerical attendance on Sunday worship, nor for lack of financial support. Doubtless they are in as flourishing a condition every way, as churches average in communities where so large a part of the population is what is known as working people.

According to the Lowell City Directory for 1899 there are in the city ten Orthodox Congregational churches, including one French and one Swedish. There are six Calvinistic Baptist, including one French, three Free Baptist, and one Union Free Baptist, five Methodist Episcopal, two Primitive Methodist, one Swedish Methodist, one Wesleyan Methodist,

three Episcopalian, two Presbyterian, two Universalist, one Unitarian, the Free Chapel, and Unity Congregation, which are practically Unitarian, one Swedish Lutheran, one Advent, one Christian Brethren Congregation, two Christian Scientist Congregations, and one Chapel in Middlesex Village under the auspices of the Free Baptists.

With the exception of a very few all of these have church edifices, and the few have regular places of stated worship.

The history of Lowell is clearly identified with cotton manufacfuring; indeed it is difficult to think of one, and not associate it with the other. The corporation here it appears antedates the church. Although corporations are said to have no souls, it seems that the first cotton manufacturing corporation in Lowell recognized the fact that men have souls or are souls. The Merrimack Manufacturing corporation was organized in February, 1822.

The directors were evidently religious men who believed that cotton mills and schools needed to be supplemented by churches in order to secure the highest welfare of the community. Accordingly as it is said, they made provision for religious worship among their operatives. Among these directors were two, Messrs. Kirk Boott and Patrick T. Jackson, who served on a committee, the result of whose work was the building of St. Anne's Church in Merrimack Street. The corner stone was laid May 20, 1824. The church was dedicated March 16, 1825. The first church organization connected with it, according to the records was called the Merrimack Religious Society.

The first public services under the auspices of the society were held Sunday, March 7th, 1824, in a building used by the Merrimack Company for a schoolhouse, situated on the site of the present Green Grammar school. The first preacher was the Rev. Theodore Edson, an Episcopalian. The form of worship adopted by the society was the ritual of the prayer book,and so St. Anne's became an Episcopal church, and is the oldest church dedicated within the limits of the city of Lowell.

For several years matters between the corporation authorities and the worshippers of St. Anne's went smoothly, but there came a time when difficulties were encountered, and

differences arose. There was a law suit. In 1842 the church people bought the church edifice, and a little later the parsonage. In 1830 a building was erected for a Sunday school, and in 1839 another was built for a similar use; both were superseded later by another, a stone structure.

Further modifications at considerable expense have been made from time to time in the church, and with its chime of bells and beautiful memorial windows, it is an attractive as well as an historical feature of the city. Its first pastor,

ST. ANNE'S CHURCH.

the Rev. Theodore Edson, was fifty nine years the shepherd of the flock. He was always identified with the best interests of the city, and deeply interested in its welfare.

Its second rector, Rev. A. St. John Chambre, D. D., still serves in that position.

The other Episcopal churches in the city are St. John's, organized in 1860, and the House of Prayer organized Aug. 31st, 1876.

The Rev. L. C. Manchester has been rector of St. John's since 1873, and has not only served his church with ability and faithfulness, but has identified himself with the public welfare. Rev. W. E. L. Ward is rector of the House of Prayer.

CONGREGATIONALIST.

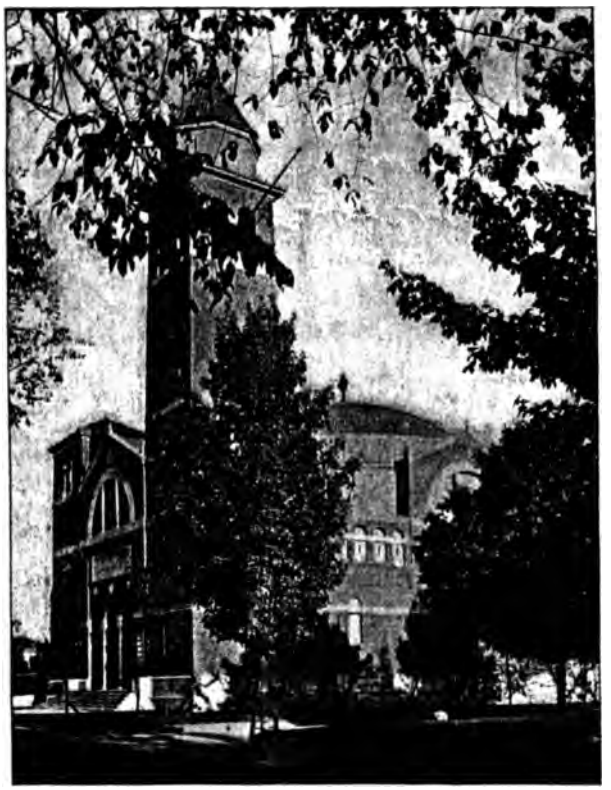
Within the limits of the present city is an older religious organization than the historic St. Anne's, although when organized, it was within the limits of the town of Dracut.

Reference is made to the Pawtucket Congregational Church. This church was organized in 1794, and the edifice which recently gave place to the beautiful new structure on the old site was completed in 1797. From 1819 to 1837 it was known as the Presbyterian Church of Dracut. Later it was known as the Congregational Church of West Dracut. At present the large and prosperous society worships in one of the latest built, and one of the most beautiful and commodious edifices in the city. The Rev. Willis D. Leland, Ph. D., became pastor of the church in 1893, and the church still enjoys his faithful ministrations.

The first Congregationalist body organized in the city, was what is known as the First Congregational Church to-day. It is said to have its inception in 1824 in a meeting of a few men and women in a corporation boarding house, but the date of actual organization was June 6, 1826. The first meetings for public worship were held in the old building at first used by the people of St. Anne's. A church edifice was dedicated Dec. 25, 1827, which was occupied until 1884 when the present fine structure was erected. The church has made an honorable record and been a power for good in the community. The church has had nine pastors, all able men. The Rev. Smith Baker's pastorate was twenty years, and under his ministry the church enjoyed the reputation of having the largest congregations in the city. The present pastor, Rev. F. A. Warfield, is very popular. The other congregational churches in the city are the Kirk Street, Rev. W. A. Bartlett; the Eliot, Rev. J. M. Greene, D. D.; High Street, Rev. C. W. Huntington; John

Street, Rev. G. H. Johnson; Highland, Rev. C. L. Merriam; Trinitarian, Rev. G. F. Kengott; the French, Rev. T. G. A. Cote; Swedish, Rev. A. P. Nelson. Most of these are large and flourishing churches.

Kirk Street Church, with its wealth and prestige, has carried on a large charitable work, besides conducting its own affairs in an elaborate and expensive fashion.



GRACE UNIVERSALIST CHURCH.

The Rev. Dr. John M. Greene, pastor of the Eliot Church, is the oldest Protestant clergyman in the city, and the longest settled. He was installed pastor of the Eliot Church June 20, 1870. No man in Lowell enjoys more respect from his fellow citizens than Dr. Greene.

Calvinist Baptist.

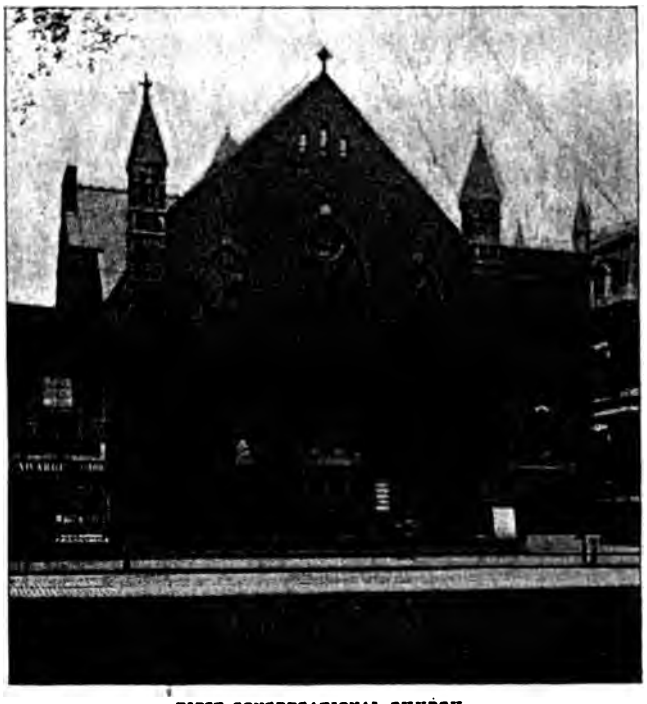
That little school-house built and owned by the Merrimack Manufacturing Company, saw the beginnings of more than one religious denomination in Lowell, and served them as a place of worship. Not only Episcopalians and Congregationalists made use of it, but Baptists of whom the city at the present time has many. The Baptists claim that about 1822. Rev. John Parkhurst, a Baptist, preached twice

UNITARIAN CHURCH.

in Lowell, and in 1824 Rev. John A. Weston, the founder of the *Watchman*, also preached here. Both men are said to have preached in the house of Abel Rugg, at the corner of Hosford Square and Wamesit Street.

In 1825 the Baptists organized and held public religious services in the before-mentioned school-house. Feb. 8, 1826, the First Baptist Church was organized in the house of

Nathan Oliver. The first baptism was Feb. 28, 1826, when four persons were baptized by Rev. G. F. Davis in the Concord river near the present Colburn Grammar School. The Rev. John Cookson was the first pastor. The meeting-house was dedicated Nov. 15, 1826. The church has had fourteen pastors, among them, many able men. The Rev. Daniel C. Eddy was longest in the pastorate, and his ministrations were rewarded by abundant results. The Rev.

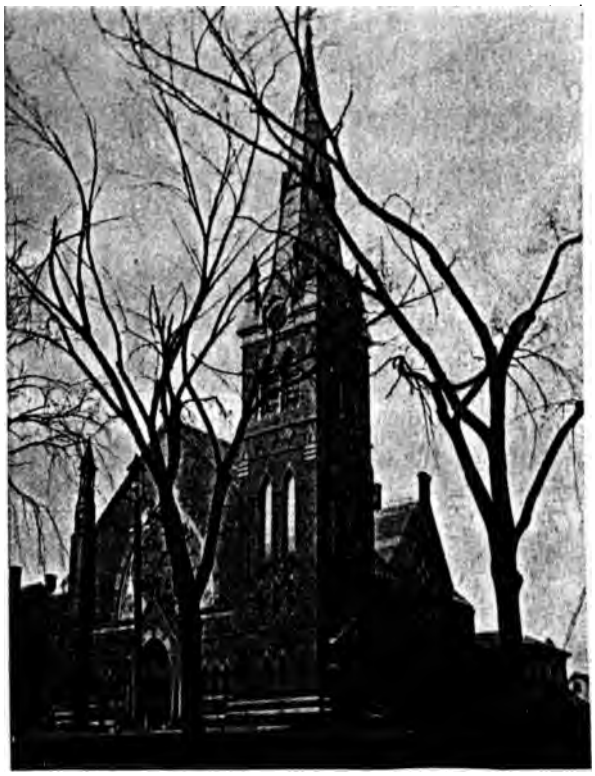


FIRST CONGREGATIONAL CHURCH.

S. T. Ford is the present able and popular pastor. The other Baptist churches in Lowell are the Worthen Street, Rev. Bowley Green; Branch Street, Rev. Asa Reed Dilts; Fifth Street, Rev. H. W. O. Millington; Immanuel Baptist, Rev. T. S. Sayer, last pastor; and the French Baptist Mission, Rev. I. B. Leclaire. The Calvinist Baptists are a strong denomination in Lowell, and identified with its best movements.

Free Baptist.

The first Free Baptist Church in Lowell was organized with twenty members Aug. 15, 1833. It grew out of a series of prayer meetings begun in 1830. A fine church edifice was erected in Merrimack Street, at the head of Central, and dedicated Nov. 15, 1837. Its growth was rapid, and



ELIOT CONGREGATIONAL CHURCH.

a second church was organized in 1840, but was discontinued at the end of three years.

The first church gave up its edifice in 1846 owing to financial difficulties and embarrassments, but services were continued in rented quarters. Later another fine church edifice was erected in Paige Street, and dedicated Feb. 1,

1854. The first pastor was the Rev. Nathaniel Thurston, who has been followed by thirteen successors. The present pastor is the Rev. A. E. Wilson, who began his work in November, 1896. He is justly popular among his people, and a strong addition to the ministerial force of the city.

The Mt. Vernon Free Baptist Church was dedicated July 10, 1873. The present pastor is the Rev. F. A. Currier.

FIRST BAPTIST CHURCH.

Ten years later the Chelmsford Street Free Baptist Church was organized. The Rev. A. E. Kenyon is the pastor at present.

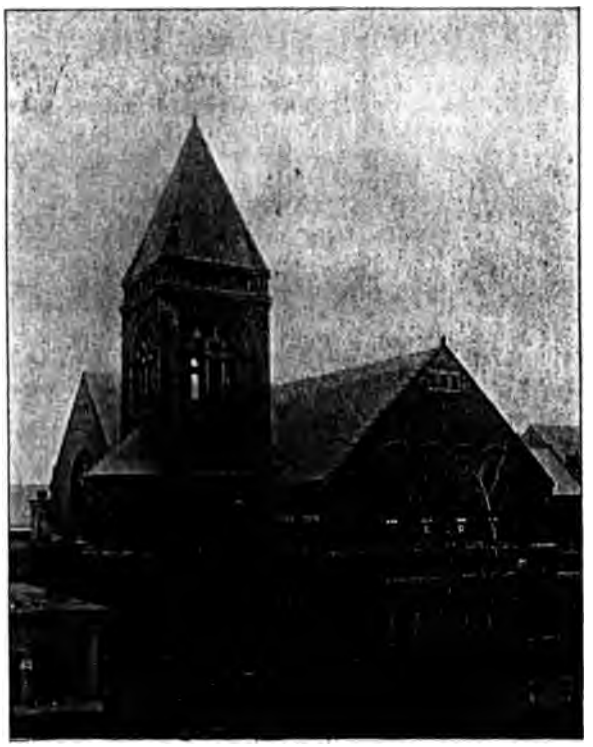
Union Free Baptist.

These people have no church edifice but occupy rented rooms in Barristers Hall, corner Merrimack and Central Streets. It was organized in 1889 by Rev. William A. Morang, who has ministered to the wants of the church

ever since. Sunday services are largely attended, and the movement seems to be a prosperous and permanent one.

Presbyterian Church.

There are two Presbyterian churches in Lowell, one in Appleton and one in Tyler Street. The one in Appleton

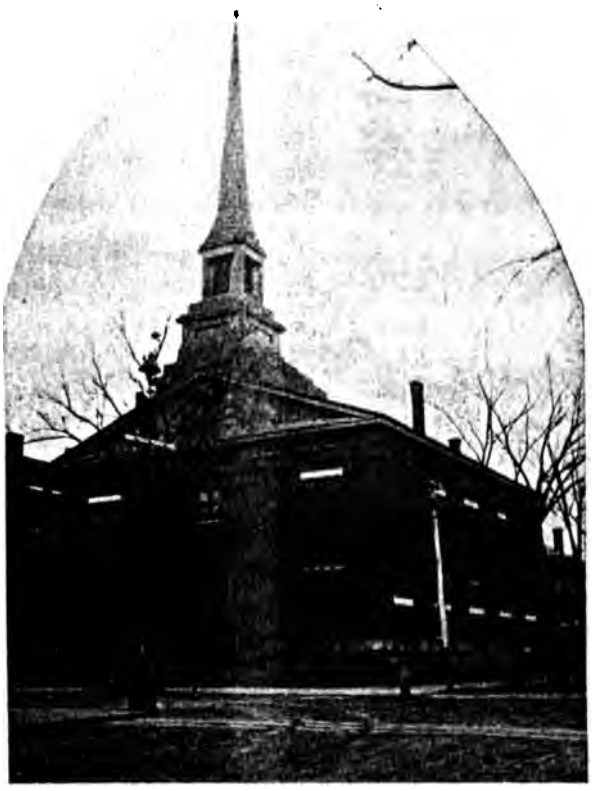


WORTHEN STREET BAPTIST CHURCH.

Street was organized some time about 1868, and the church edifice was formally occupied and owned by the Eliot Congregational people. The church is attached to the Presbytery of Boston and New York Synod of the Presbyterian Church of the United States.

The membership of the church is large and active, chiefly of Scotch descent. The Rev. Dr. Robert Court was for

more than twenty years pastor of the church from 1874. Dr. Court enjoyed the reputation of being one of the most learned men in the city. The present pastor is the Rev. J. M. Craig. The church in Tyler Street is known as the United Presbyterian Church. The edifice is comparatively new. The church was organized in 1888. The pastor at present is the Rev. Duncan A. MacPhie.



JOHN STREET CONGREGATIONAL CHURCH.

METHODIST EPISCOPAL.

The first Methodist in the city of Lowell is said to have been Miss Phoebe Higgins. James R. Barnes is said to have been instrumental in establishing the first Methodist church here. In June, 1824, he formed a class of eleven persons at

his house on Dutton Street, on the Merrimack Corporation. From this beginning came St. Paul's Methodist Church.

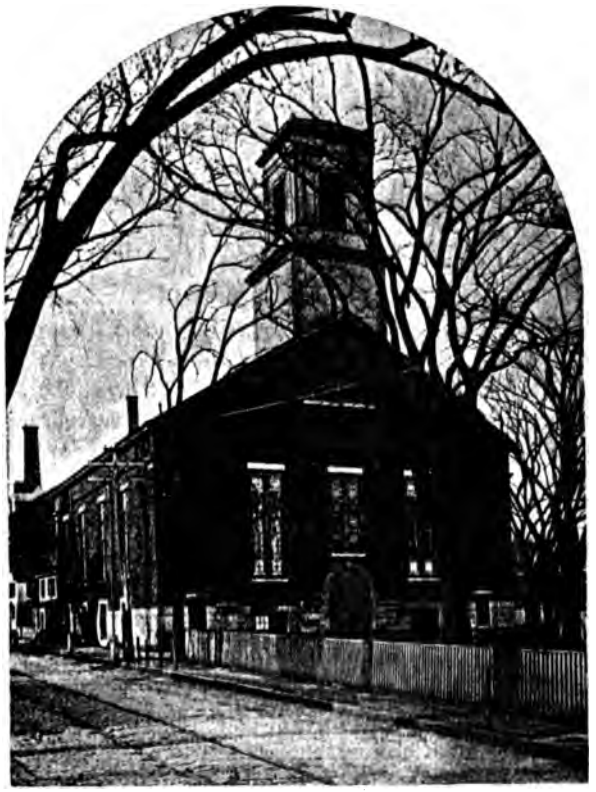
Ministers from outside the city supplied the Methodists until 1827. Services were held at the Old Red School-house at the junction of Gorham and Thorndike Streets, and sometimes in private houses.

The first meeting-house was erected on Chapel Hill, corner of Central and Elm Streets and dedicated Nov. 29, 1827. The first pastor was Rev. Hiram Walden.

PAWTUCKET CONGREGATIONAL CHURCH.

The increase in Methodist believers made a second church necessary, and one was organized, and worshipped in a large house, corner of Lowell and Suffolk Streets. Subsequently they worshipped in a large brick church originally erected by the Baptists in Suffolk Street, now owned by the Catholics of St. Patrick's parish. Later the growth of the Chapel Hill Methodists made a larger church edifice necessary,

and a lot was purchased of the Middlesex Corporation, corner of Hurd and Warren Streets. In November, 1839, the present structure known as St. Paul's Church was dedicated. Connected with this church have been some of Lowell's first citizens, and the history of the church during anti-slavery



ST. PAUL'S METHODIST EPISCOPAL CHURCH.

times and the days of the Civil War makes interesting reading. The present pastor is the Rev. L. W. Staples.

The growth of Methodism in Lowell is attested by the four other strong churches of the denomination; the Worthen Street, Rev. J. F. Allen; Central, Rev. W. H. Meredith; Highland, Rev. J. W. Higgins; Centralville, Rev. J. A. Bowler, and the Swedish Methodist, Rev. Svenson Svente.

Primitive Methodist.

In the fall of 1870 services were first held in Preston Hall, Davis Square, Rev. William Kirkby, pastor. March 17, 1871, the corner stone of the present church was laid by Dr. J. C. Ayer, and the building was pushed to a rapid completion. In the hard times of 1874-5 the debt proved too much for the young society, the building was sold and the society disbanded. In January, 1879, Rev. N. W. Matthews reorganized the society. From that time the society took a firm hold upon the community. Rev. John A. McGreaham followed Mr. Matthews in 1883, and spent five successful years. During his pastorate the pastor's dwelling was erected in the rear of the church, the Moore Street Mission was opened, and the present edifice at the corner of Lawrence and Moore Streets was erected.

In 1897 Rev. N. W. Matthews returned to the pastorate. The growth of the society has demanded the turning of the old parsonage into social purposes for the church and Sunday school. A beautiful new parsonage has been erected on Ellsworth Street at a cost of $3500.

The Moore Street Church was organized during Rev. J. A. McGreaham's pastorate in the First Church. It became independent in 1897. Rev. Duncan Salmond is the pastor.

Wesleyan Methodist.

What is known as the Wesley Church was organized May 6, 1898, and regular Sunday services are held in Runel's Building, pastor, Rev. John Norberry. It is thus a comparatively new movement in Lowell, and made up chiefly of people heretofore connected with the Methodist Episcopal Churches.

Unitarian.

Aug. 30, 1829, a few persons met in the house of Thomas Ordway to consult as to the expediency of forming a Unitarian Church in Lowell. As a result of that meeting, the First Unitarian Church of Lowell was organized Sept. 26, 1829, in what is now the Ayer Home for Young Women and Children in Pawtucket Street. A Sunday school was

formed in June, 1830, and the church connected with the society Nov. 7, 1830. The first religious service was held in the schoolhouse of the Appleton and Hamilton Corporations in Middlesex Street, now known as the Free Chapel. The Rev. Caleb Stetson preached the first sermon on the first Sunday of October, 1829. The Rev. William Barry was the first settled pastor, called May 9, 1830. October 8th, the same year, the organization was christened, "The South

BRANCH STREET TABERNACLE—BAPTIST.

Congregational Society." The Rev. Mr. Barry was ordained Nov. 17, 1830, in the First Baptist Church which was courteously offered for that purpose. Sept. 17, 1831, ground for a church was broken, and the church, ever since occupied by the parish, was dedicated Dec. 25, 1832. The church has had nine pastors, men of marked ability. The present pastor is the Rev. Charles T. Billings, deservedly popular for his ability as a preacher and faithfulness as a pastor.

The Unitarians have always numbered in their ranks much of the wealth and intelligence of Lowell, and with their religion have associated a great degree of charity and good works.

MINISTRY-AT-LARGE.

The Ministry-at-Large as it is known is a well endowed organization, holding regular Sunday services in the Free

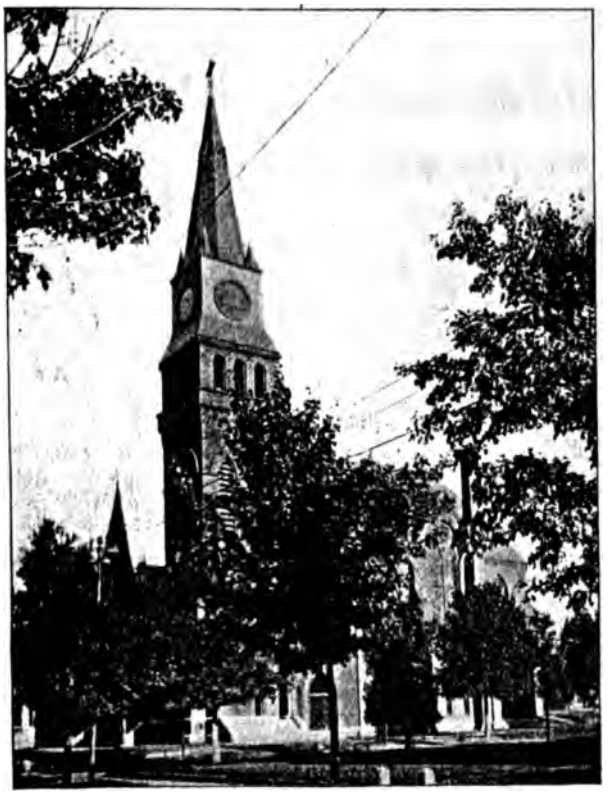
KIRK STREET CONGREGATIONAL CHURCH.

Chapel, Middlesex Street; pastor, Rev. G. C. Wright. It is practically Unitarian and supported by Unitarian endowments and is a power for good in the city. Unity Meeting House, Church Street, is also a Unitarian Society, ministered to by the Rev. G. C. Wright. At one time the Unitarians had a strong church in Lee Street.

UNIVERSALIST.

In 1826 Mr. George Bradburne was a resident of Lowell. At his request on the eve of the thirteenth of April, that year,

the Rev. Dr. Thomas Whittemore preached the first Universalist sermon heard in Lowell. It was delivered in what at that time was known as Carter's public house—later and now known as the Washington house. Regular preaching, however, was not established until 1828. The Rev. E. Case was the first regular preacher. The First Universalist



HIGHLAND CONGREGATIONAL CHURCH.

Society was organized in 1827, and the first church edifice was dedicated in Chapel Street on Thanksgiving day, Nov. 27, 1828. The Rev. Hosea Ballou, 2nd, preached the dedicatory sermon. The location of the church was deemed unsuitable and subsequently it was changed to Central Street, and for many years occupied the site of what later

became the Boston and Maine R. R. Station. The church from the first has always been one of the strongest numerically and financially in the city. In 1874 in consequence of the taking of the old location for railroad purposes, a new church, one of the finest and most expensive in the city, was built in Hurd Street.

FIFTH STREET BAPTIST.

The pastorates in the church have generally been long, and the pastors able men, such as Elbridge Brooks, Thomas B. Thayer, J. J. Twiss, G. F. Flanders, G. W. Bicknell, and F. O. Hall. The present pastor, Rev. C. E. Fisher, is deservedly popular with his people.

The increase of Universalist people in Lowell made another church of the denomination a necessity. Eight years after the beginning of the First Church, its pastor, Rev. Dr. Thayer, gave a course of Sunday evening lectures

in the old City Hall. Immense audiences encouraged the beginning of another church, and the Second Universalist Society was organized Sept. 4, 1836. The society consisted of fifty male members. In the spring of 1838 a lot was secured at the corner of Market and Shattuck Streets, and on the fifteenth of November, 1838, the Second Universalist

SWEDISH LUTHERAN CHURCH.

Church was dedicated. It continued to be the society's place of worship for forty-eight years, when, in the spring of 1896, it was given up for the elegant new church in Princeton Street at the Highlands, now known as Grace Universalist Church. Among the pastors of the church have been such men as Abel C. Thomas, Dr. A. A. Miner,

I. D. Williamson, L. J. Fletcher, D. D., and J. G. Adams, D. D. The present pastor, Rev. Ransom A. Greene was called to the church April 1, 1877.

Christian Science.

Christian Science is comparatively a new movement in Lowell, so far as organization is concerned. Previous to 1887 individual believers in the doctrine set forth its tenets, but not to the end of establishing a society. In the winter of 1887 Mrs. Emeline A. Merriman who had found ample reason to believe the doctrine, and who in 1888 graduated from the Massachusetts Metaphysical College, Boston, came here to make another attempt to found a society, and prove the teaching of Christian Science. Her work both in the line of healing and teaching was eminently successful. In 1895, with tenets and rules given by the First Church of Christ Scientist, known as the Mother Church in Boston, a branch church was founded in Lowell.

In May, 1898, the society was duly and properly chartered by the state authorities under the name of First Church of Christ Scientist, Lowell, Mass. Regular Sunday services are holden, and a Sunday School maintained in the Pollard Building, Palmer Street. A reading room is maintained by the society at 138 Merrimack Street, open to the public. A building fund has been started. Mrs. Merriman is still at the head of the society.

There is also a second society which carries on its work in the Odd Fellows Building, Middlesex Street.

The Christian Scientists number in their ranks some of the most intelligent people of Lowell, and with their broad conceptions of God and man and life, can not fail to benefit the community.

Adventists.

Rev. Timothy Cole, pastor of the Free Baptist Church in Suffolk Street, situated on or near the present site of St. Patrick's School, became a convert to what is known as the Millerite movement of 1843, and most of his church adopted the same views. This was the foundation of what is now the Second Advent Church of Lowell, Massachusetts.

About 1845, the place of worship was changed to the chapel in Kirk Street. In 1858 they removed to Lee Street, where a church was first organized. They worshipped here until about 1865 when Mr. Wyman, a prominent member, offered them the free use of Wyman's Hall. After the death of Mr. Wyman they again changed their place of

BEREAN PRIMITIVE METHODIST CHURCH.

worship to Mechanics Hall, about 1875, where they remained until 1888 when they erected a church in Grand Street, which they now occupy.

Swedish Lutheran.

The Swedish Lutherans organized as a religious body, May 23, 1882. They have a house of worship in Meadow-

croft Street. Services are conducted in both the Swedish and English languages. Pastor, Rev. John W. Eckman.

There is also a Swedish Mission Church in London Street. The Swedish people in Lowell are among our best inhabitants, faithful to their duties as citizens and Christians.

Salvation Army.

Salvation Army members have headquarters at No. 11 Warren Street. They have faithfully and continuously carried on their peculiar work, in their peculiar way, for many years. They have the sympathy and co-operation of the Protestant churches in Lowell generally.

The religious forces in Lowell are strong, and the religious sentiment generally broad and Christian.

The Protestant ministers of the city have for many years maintained a Ministers' Christian Union, from which no Protestant minister is excluded. Occasionally a so called Evangelical minister comes along, who cannot stand an organization that fellowships or tolerates Universalists and Unitarians, and the good man keeps out of the Lowell Ministers' Christian Union, but generally Orthodox and Hetherdox fraternize in this body, without detriment at least, to eitherparty, let us hope to mutual advantage.

Generally speaking the Protestant churches of Lowell are interested in all good movements. Charity, temperance, political reform, and whatever means good citizenship, and the advancement of Christ's Kingdom on earth.

JOHN ELIOT'S WORK AT WAMESIT.*

CHARLES COWLEY, LL. D.

When Dean Stanley visited this country in 1878, and Phillips Brooks inquired what places he most desired to see, he replied, "The place where the Pilgrims landed, and the place where Eliot preached." Before he put to sea on his return voyage, the intelligent curiosity of the great dean was abundantly gratified. John Eliot preached in many places, and in some places many times. The beautiful Eliot Church marks one of these places, and is one of several memorial churches inscribed with his name and sacred to his memory.

Prior to July, 1893, no record was known to exist of the time or place of Eliot's birth. It was assumed that he was born at Nazing in the country of Essex, because his parents lived there at a later day. But through the diligent inquiries of Dr. Ellsworth Eliot, one of John Eliot's descendants, of New York city, we now know that "the Apostle to the Indians" was baptized at Widford in the county of Hertford in England, on the fifth day of August, 1604, probably not more than a week or ten days after his birth. The same parish register that contains this baptism, also contains the marriage of his parents, Bennett Eliot and Letteye Aggar, October 30, 1598, as well as the baptism of his sister Sarah, and his brothers, Philip and James. Bennett Eliot removed from Widford to Nazing, some six miles distant, about 1607, and died there in 1621. He was a thrifty farmer and had property in five different parishes. By his will he directed

*The following pages contain the substance of remarks made in the Eliot Church, October 31, 1897, and also of remarks made before the Old Residents' Historical Association in Memorial Hall, December 21st, 1897, and afterwards before the Passaconaway Tribe of Red Men, and printed in Volume VI of the Old Residents' Historical Association.

his executors to pay to his son John, then a student in Jesus College at Cambridge, the sum of eight pounds a year for eight years towards his maintenance. Considering that money was then worth at least ten times as much as it is now, this was a liberal allowance.

Eliot had only to do as others did to secure preferment under Bishop Laud, and to enjoy "the fat slumbers of the Church," (as Gibbon called them), in the diocese of London. Benefices and bishoprics were often the rewards of such as could—

> "Crook the pregnant hinges of the knee
> That thrift might follow fawning."

But John Eliot could not do that. With a loftiness of soul which does him immortal honor, he deliberately turned his face away from the road to place and power, to follow the voice of conscience; and so instead of hearing that he received preferment in the church, we next hear of him as a tutor in the school of Little Baddow near Chelmsford in the County of Essex, of which the Rev. Thomas Hooker was master. The Rev. John Fiske, who afterwards became the first minister in Chelmsford, the mother town of Lowell, was also a school teacher in Chelmsford. How many of the settlers of the American Chelmsford came from its English namesake we know not, but it probably owes its name to the connection of Eliot, Fiske, and Hooker with the English Chelmsford.

Like nearly all the Puritans of that time, Eliot was a zealous member of the Church of England, believing, so far as known, all the doctrines of the Apostles', Nicene and Athanasian Creeds, and all of the Thirty-nine Articles, and desiring that the Church should continue "as by law established," only seeking certain amendments to the Book of Common Prayer and certain changes in church government in the direction afterwards taken by the Presbyterians.

Some have doubted whether Eliot was ordained in England; but it seems to be conceded that if ordained there at all, he was ordained by a bishop of the established church, as the Puritans, other than a few Separatists, did not then

ordain. As the fact is of some importance in the estimation of many Christian scholars, I will brifly sum up the evidence thereof.

In Governor Winthrop's History, "Mr. Eliot, a minister," is mentioned as having arrived at Boston from England in the ship Lyon, November 3, 1631. Mrs. Winthrop, the governor's wife, (the same lady to whom ten years later the General Court made a grant of three thousand acres of land chiefly in what is now Lowell), John Winthrop, the governor's son, and his wife were fellow passengers with Eliot in the Lyon. During their long voyage across the Atlantic Eliot and the Winthrops doubtless became intimate friends. As the only minister on board a ship which had sixty passengers, and which probably had prayers every day, Eliot and the Winthrops would have much conversation, he would learn their history, and they would learn his, even if they had been previously strangers to each other.

No sooner had Eliot landed than he was called to supply the pulpit of the first church in Boston, Governor Winthrop's own church, whose pastor, the Rev. John Wilson, was then on a visit to his old home in England. Thus Eliot and the governor became personal friends. Three months after he reached Boston, he went with the governor to Medford, and visited the pond which has ever since been called Spot Pond. Having such relations with Eliot, I belief that Governor Winthrop made no mistake when he described John Eliot as being already "a minister" when he arrived in the old Bay Colony.

Wilson, whose place Eliot for the time being filled, accepted his place upon the express condition that he did so without prejudice to his standing in the Church of England. Roger Williams who like Wilson and Eliot, had been ordained in England, filled Wilson's place for a time. Having separated himself entirely from the Church of England, declaring her to be no church, he wished the first church in Boston to do the same, but failed therein; that church, Congregational though it practically was, absolutely refusing to be separated from the Church of England. Roger Williams then left for Salem. Eliot then, for the time being, took Wilson's place

to the entire satisfaction of his flock. He had not then separated himself from the church in which he was born, I can not find that Eliot ever regarded himself as separated from the Church of England.

The next witness is the Rev. Cotton Mather. In the third volume of his "Magnalia," published in 1702, Mather gives a long list of Massachusetts ministers who had been ordained in the Church of England. The list is reprinted with corrections in an appendix to Savage's edition of Winthrop's History, and Eliot's name is there.) The name of the Rev. John Fiske, the first minister in Chelmsford, is also there.) Cotton Mather, his parents, and also his grandparents, had been personal friends of Eliot; and whatever mistakes he may have made relative to the names of later immigrants, Mather is thoroughly trustworthy as to Eliot.

Again: the Rev. Daniel Neal, in his History of the Puritans, includes Eliot among the "eminent divines" who had removed to New England after having been ordained in old England.

Again: if Eliot had never received Episcopal ordination, it is unlikely that the Society for the Propagation of the Gospel would have paid him a salary of fifty pounds a year for his work among the red men, without a murmur from any of the churchmen who supported it.

On the other hand, it is but fair to state here that the Right Reverend Mandell Creighton,* Lord Bishop of London, at my request, endorsed by our Ambassador at the Court of London, has courteously caused an examination to be made of the Registry of his Diocese which included the County of Essex in which Eliot was domiciled; and that no record of Eliot's ordination either as deacon or priest can be found; although the record of ordinations and of the subscriptions required preparatory to ordination seems to be complete during the time when Bishop Laud (afterwards Archbishop of Canterbury) presided over that Metropolitan See.

But other facts demand consideration. Eliot graduated in 1622. He was then only eighteen years old; and probably

*The same prelate to whose courtesy the Commonwealth is indebted for the original manuscript of Governor Bradford's History of Plymouth Colony, and whose portrait adorns the edition of that narrative recently printed by the Commonwealth.

finished the course of theological study required of candidates for the ministry of the Church of England, in 1626. Although by the law of the Church a man must be twenty-four before being ordained deacon and twenty-five before being ordained priest, that rule was sometimes relaxed in the case of precocious young men like Eliot. Bishop Montaigne who held the Diocese of London from 1621 to 1627, was less exacting than Laud, who succeeded him in 1628.* Eliot's spiritual life, according to his own declaration, did not begin until he met Thomas Hooker at a later day, and we can discover nothing to prevent his subscribing the articles and taking holy orders before Laud crossed his path.

It occurred to me that Eliot might have been ordained by Bishop Buckeredge, of the Diocese of Ely, which includes Cambridge, where Eliot was educated; but upon inquiry it was ascertained that the record of ordinations in that diocese during Eliot's time has long been lost.

After one year's service in Boston, during which the first church became much attached to him, Eliot fulfilled a promise which he had made before leaving England, and was ordained pastor of the first church in Roxbury. This proves nothing against his ordination in England, Eliot merely followed the custom of the Congregational Churches, which repudiated all ideas of priesthood. Among the lambs of Eliot's flock at Roxbury was his wife to whom he had been engaged in England.

Eliot had been preparing himself for his work among the Indians long before he began that work at Wamesit, and his first overtures on the Gospel trumpet in their tongue were made in places nearer to his Roxbury home. It was in the year 1647, two hundred and fifty-three years ago, when Eliot first visited the great Indian rendezvous which this place then was. That year was signalized by several notable events—by the establishment of the first town school, by the Synod of Cambridge in Massachusetts, and by the Westminster Assembly of Divines in England.

---

*While this bishopric was vacant after the departure of Montaigne and before the coming of Laud, Eliot might have been ordained by George Abbot, Archbishop of Canterbury or any bishop of that Province, designated by him.

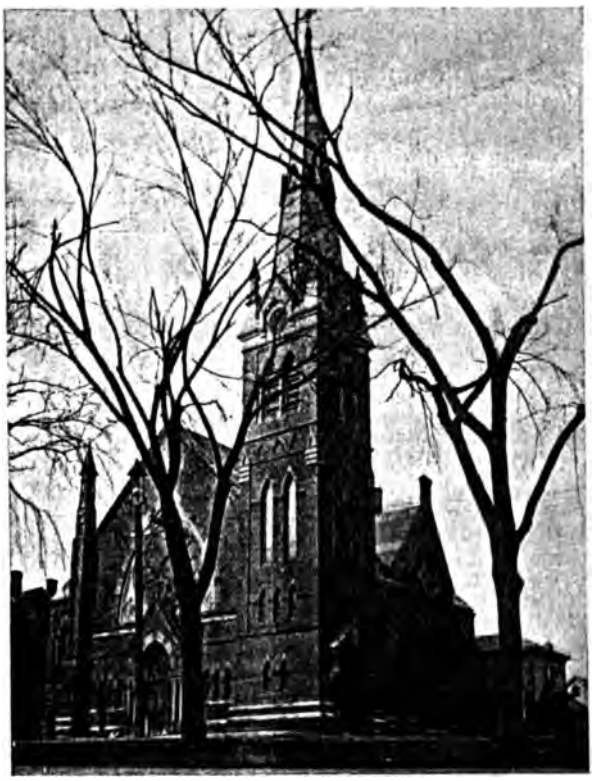
Simon Willard, of Concord, is said to have accompanied Eliot on this visit, and perhaps other men of Concord and some of Woburn accompanied him. As no roads had yet been opened, Eliot probably came on horseback and followed the Indian trail. The only ford on the Concord above Lowell is that at North Billerica, where the river is now crossed by the bridge over which the electric, as well as the country road passes. Eliot and his companions may have forded the Concord there, though it is not impossible that they forded it at Massic Falls. But if they came by way of Concord, they would not be compelled to ford the river at all. Passaconaway is said to have fled at Eliot's coming, though he meet him cordially on later occasions.

The sixteen years that had passed since Eliot left his native land had been signalized by great events; and the relations which then existed between old and new England were very intimate. Standing on the rugged banks of the Merrimack, he could not fail to contrast the wigwams and canoes and their red-skinned occupants with the scenes in which his youth had been passed. Crossing the Atlantic mentally, he must have thought of the Long Parliament, which had been sitting for seven eventful years, and which ceased not to make history for eleven years more; that Parliament which had already brought to the bar and to the block the tyranical Archbishop Laud, from whose intolerance as Bishop of London Eliot himself had suffered; that Parliament which had also brought to the bar and to the block the tyranical Earl of Stratford; which then held the King himself as a close prisoner; which continued to hold him as a prisoner until the sharp ministry of the axe sent him a poor wandering ghost to the land of shades. Some such scenes from Westminster Hall, some echoes from Westminster Abbey, where the famous Westminster Assembly, was then sitting, some echoes from the battlefields of the great Rebellion, must have filled his mind and mingled with the sounds of the impetuous river rushing onward to the sea.

At the Synod of Cambridge in the spring of that year, Eliot had made known his plans for the civilization and Christiani-

zation of the Indians; the Synod had approved those plans, and the General Court had given him a gratuity of ten pounds in recognition of this Indian work.

At the time of that first visit, the nearest English settlers were those of Concord, Woburn, Reading, and Haverhill,



ELIOT CHURCH.*

from twelve to fifteen miles distant. During the next forty years, Eliot made many visits to this frontier region, and once, if not more than once, traveled as far north as Amoskeag Falls (now Manchester, N. H.)

*This church was erected on or near the site once occupied by the Old Log Meeting-house in which John Eliot preached to the Indians.

In 1653, at Eliot's suggestion, Wamesit was set off by the General Court as an Indian reservation, and some years afterwards, the log house was built on Meetinghouse Hill, where the beautiful Eliot Church now stands, which was used for school purposes on six days in the week and for religious meetings on Sundays. This log meetinghouse remained until about 1823 or 1824. Josiah G. Abbott, Oliver M. Whipple, Amos Brown, Sidney Davis, and other "Old Residents," now no more, remembered it well. It is said to have been one and a half stories in height, and probably had an apartment for the use of Eliot, called "the prophet's chamber," as the log meetinghouse at Natick is said to have had.

Remembering the intolerance of those times, particuarly towards Baptists, Roman Catholics, and Quakers, it is refreshing to note that at Christmas, 1650, Eliot entertained as his guest at Roxbury, the Jesuit Father Gabriel Druillettes, who had been learning the language of the Indians of Maine and converting them to Catholicism, sychronously with Eliot's labors among the Indians of Massachusetts.

It was well known to Eliot that the missionaries of the Society of Jesus had begun their labors among the Indians of Canada immediately after the settlement of Quebec in 1607, forty years before he first came to Wamesit. The Indians of the St. Lawrence and those on the Merrimac belonged to the same confederacy, spoke the same tongue, and often exchanged visits. As early as 1653, he found beads, crosses and crucifixes upon some of the squaws at Wamesit, which told more plainly than their words that they had been converted to the Roman Catholic Church. Had he been endowed with the gift of prophecy, he might have foreseen the time that was coming, when all his "praying towns" would disappear, and pretty much all his converts find a home in that church.

Wamesit was the fifth town of "praying Indians" founded by Eliot. There were fourteen such towns in all, of which he was in all but the name, the bishop, and no truer successor to the Apostles has ever lived. Accounts of these towns are accessible elsewhere, and none will be attempted here.

On the fifth day of May, 1674, Eliot and Gookin made one of their many journeys to Wamesit, and visited the chief, Wannalancet, at his own wigwam, which stood on the lot where the statlier "wigwam" of Mr. Frederick Ayer now stands near the Pawtucket Falls. There, in the evening of that day, Eliot preached to as many of the Indians as could be got together, on the parable of the marriage of the King's son, Matt. xxii: 1-14. Wannalancet being the oldest son of Passaconaway, the great sachem of the Pawtucket tribe, Eliot made a personal application of the parable to him, and with good effect, for by that sermon Wannalancet was converted.

Various memoirs of Eliot have been published, and nothing like a biography of him will be attempted. Writings have been ascribed to him which he never wrote. Thus, Dr. Samuel A. Green has shown that the first tract relating to Eliot's missionary work, which the Massachusetts Historical Society had published as Eliot's, was not written by him, but by the Rev. John Wilson. I have examined Eliot's "Christian Commonwealth" which brought him nothing but persecution, and find nothing in it calling for censure. It was manifestly suggested by his work among the Indians. Gen. Gookin says that, in 1651, "they applied to Mr. Eliot for a form of civil government, and he advised them to adopt that which Jethro proposed to Moses for the Israelites in the wildnerness, Exodus, xviii: 21. Accordingly, they chose one ruler of a hundred, two rulers of fifties, and ten rulers of tens." This plan worked well among the Indians; but as a plan of government for England it was a Utopian dream. It shows, however, how completely the minds of the Puritans were "soaked," so to speak, in Old Testament ideas. As a project for "a church without a bishop, a state without a king," it was used to Eliot's annoyance in the times of Charles II.

What is called "King Phillip's War" was now approaching, and during that conflict Eliot's clients received most brutal treatment. Most of them were killed or scattered. In 1677, the survivors of them were gathered in four towns. Wamesit was one of these, and if (as Wilkes Allen thought)

no church existed here prior to that war, it seems probable that one was founded by the Indians soon afterwards; for when the Rev. John M. Greene, D. D., became pastor of what is known as the Eliot Church in Lowell in 1870, he found, among older members, some who had seen the cups and plates which tradition said had been used by the Indian Church in Wamesit in the administration of the Communion. But all these towns were doomed to destruction. Nothing that Eliot and Gookin could do to save them, was omitted to be done; but their fondest hopes were blasted; their best efforts utterly failed.

In July, 1680, two Labadists, Jasper Dankers and Peter Sluyter, visited Boston, Cambridge, and Roxbury, and had an interview with Eliot, whom they pronounce "the best of the ministers."

When Eliot published his Indian Bible he presented a copy of it to his Alma Mater in Cambridge, with a request that he might have her prayers, as she had his continually. This Bible is still preserved at Jesus College.

In 1686, Wannalancet and his tribe sold their lands in this region to the English settlers, reserving only their rights of hunting and fishing. After passing through various vicissitudes and doing many acts of kindness to those who had injured, as well as to those who had assisted him, Wannalancet and other Wamesit Indians finally joined the St. Francis tribe in Canada. Eliot and Gookin must have deplored the necessity for this abandonment of Wamesit if there was such necessity; for they probably foresaw that, henceforth, the red man would be known as the enemy, instead of being known as the friend of the Colonists.

Eliot died May 21, 1690, at Roxbury, where his grave is still to be seen in the ancient burying ground. Three of his sons had gone to their graves before him. One son and one daughter survived him, and their descendants now number between two and three hundred souls. If pride of ancestry is ever laudable, it is surely laudable in them. Let us hope that the aroma of that sweet and saintly life which was thus associated with this place, may always remain with the Eliot Church.

The discovery of the time and place of Eliot's birth has already been mentioned. It is well that this discovery was not made until 1893; for that discovery led to such an exchange of courtesies between citizens and churches in the two countries as Eliot would have rejoiced to see. Having made that discovery Dr. Ellsworth Eliot applied to the Rev. J. T. Lockwood, rector of Widford, for permission to place a memorial window in the parish church. That permission was given with the utmost alacrity, and the chancel of the church was devoted to that purpose. At a cost of a thousand dollars the Eliot Memorial Window was placed there and dedicated on the 204th anniversary of Eliot's death.

On that day the successor of John Eliot in the pastorate of the first church in Roxbury, sent to the Ambassador of the United States at the Court of St. James the following telegram, which was read by Mr. Bayard, accompanied by appropriate remarks at the dedication:—

"Boston, May 21, 1894. Bayard, Ambassador. First Church in Roxbury, Massachusetts, to Widford Church, greeting. We honor the memory of the Apostle and try to carry on his work.

JAMES DE NORMANDIE, Minister."

Thus it came to pass that the Church of England in the diocese of London, which Bishop Laud made too "cabinned, cribbed, confined" to retain Eliot at her altars or in her pulpits, was opened by Bishop Temple, now Archbishop of Canterbury, to receive into its chancel a beautiful memorial window, with the following inscription:—

"To the glory of God, in pious remembrance of John Eliot, B. A. Cantab, called the Apostle to the Indians, who was baptized in this church, August 5, 1604, emigrated to America A. D., 1631, and died at Roxbury, Massachusetts, May 21, 1690. This window was erected by his descendants. 1894. The righteous shall be held in everlasting remembrance."

In his address on this occasion, the rector of Widford declares that he and his parishioners are much gratified

that it has fallen to their lot to comply with the wishes of John Eliot's descendants, and that they will continually have before their eyes a memorial of one who, in his life of singular blamelessness and single-hearted devotion to the cause of Christ and humanity, presents a rare example to all Christians, by whatever name they are named, of that charity which is the bond of perfectness."

Not since the days of the Apostles, has any man appeared, who lived a life marked by such high consecration to God and humanity, such, "sublime repression of himself," as John Eliot. Yet his life was embittered by opposition and persecution. Laud was the first, but by no means the last, who hindered him in his praiseworthy work. He had bitter opponents in this Colony, and it was his best efforts that aroused the bitterest opposition. Not one of the log meetinghouses which his Indian converts erected has been preserved. But since his death the loftiness of his motives has been appreciated. Bishops of the church which was then too narrow for him, have spoken his praises. Monuments and memorials have been erected to his honor in various places. The Eliot Church in Lowell is one; the Eliot Memorial Window in the Widford Church is another. Doubtless others will yet appear. The words of Jesus are as true to-day as ever: "Your fathers stoned this prophet; but ye build his sepulchre."

THE ORIGIN OF LOWELL'S INDUSTRIAL SYSTEM.

RODNEY F. HEMENWAY.

In the year 1811, two young men, who subsequently became principally prominent in the establishment of cotton mills at what is now known as Lowell, met in the city of Edinburgh, Scotland. They were both residents of Boston; both were well educated and well provided with this world's goods. Both were, moreover, endowed with natural intelligence, force of will, energy, and courage, among the other elements of character that eminently fitted them for the part they afterwards took in one of the most important social and industrial movements in the history of this nation.

Francis Cabot Lowell was then 36 years old. He was the son of Judge John Lowell of Newburyport, and born in 1774. The young man graduated from Harvard College in 1793, married a sister of his college chum Charles, and of his subsequent business partner, Patrick Tracy Jackson, and now, in the spring of 1811, was in Edinburgh with his family. Mrs. Lowell was in poor health. Subsequent events demonstrated, however, that her husband was not at that time in Edinburgh without another purpose.

Nathan Appleton was four years younger than Mr. Lowell, having been born at New Ipswich, New Hampshire, in 1779. Graduating from the town academy and taking the freshman examinations for Dartmouth, he did not enter college, but one bright morning took a rattling old stage coach at Groton, and went to Boston. It was a tedious journey, for when the old vehicle rumbled across Charlestown bridge the lights were lit in the stores and danced in willo'-the-wisp reflections on the black waters of the Charles river.

He went into business on Cornhill with his brother Samuel, a sort of commission business. They prospered, and in 1801 he went to Europe on business. In the fall of 1810 he went to Europe again, this time for the benefit of Mrs. Appleton, who was also in poor health.

Edinburgh is a beautiful, healthy city. In spite of the gloomy associations connected with the untimely fate of the beautiful, misguided Marie Stuart, the tragic end of Darnley, and the funereal dogmatism of John Knox and Cromwell, or the many other sombre influences of its history, every street and every view of this gray old town of the north is replete with interest. This would be sufficient to explain why Mr. Lowell and Mr. Appleton tarried long at Edinburgh. But it was also a convenient center from which to reach the cotton manufacturing districts of north-eastern England and south-western Scotland; not so convenient as Glasgow, Liverpool, or Manchester, but healthier and vastly more acceptable as a residence to men of wealth and leisure, than either. So it was in Edinburgh that the subject of cotton manufacturing in America, was first broached between Francis Cabot Lowell and Nathan Appleton.

"We had frequent conversations on the subject," writes Mr. Appleton some years later. "And he, (Mr. Lowell,) informed me that he had determined before his return to America, to visit Manchester, for the purpose of obtaining all possible information on the subject, with a view to the introduction of the improved manufacture in the United Strtes. I urged him to do so and promised him my co-operation."

This testimony, written in 1858 by Mr. Appleton in a thin pamphlet describing the early history of cotton manufacturing operations in Lowell, is sufficient to establish the fact that at this time, the spring of 1811, these two men were intrested in, and carefully studying this subject. It is all that is necessary for the purposes of this paper. There is abundant cause to explain this interest. Mr. Lowell was out of business. The annoyances caused by the British, resulting in a declaration of war by the United States in 1812, had deprived his business as a merchant in Boston,

of profit, and at the same time revealed to him the opportunities now exclusively enjoyed by Great Britain, in the manufacture of cotton cloth.

It subsequently appeared also, that Mr. Lowell had within him an extraordinary aptitude for business and mechanical operations. When he returned to America it was with plans

CITY HALL.

in his head of almost all the important machinery needed; and from them his machinery was made with the help of a practical mechanic. Not only this, but from Mr. Lowell came the whole system of organization of cotton mills, in use throughout this country to-day substantially as he planned it.

Mr. Appleton saw the purely commercial side of it. This was the result of his training. His connection with the early manufacture of cotton in America was almost accidental, and in his afterwards very busy life in trade and public service, it never became much more than incidentally important to him. During that incidental connection with the movement, however, Mr. Appleton was mainly instrumental in solving one of its difficulties, hardly less formidable, than those with which his friend Mr. Lowell, so successfully coped. This was the arrangements by which the daughters of New England farmers were induced to become Lowell mill girls; by which the evils of English factory towns were avoided, and probably never to be included among the incumbrances upon the social and moral development of this community, state, or nation.

In 1811 England practically monopolized the manufacture of cotton cloth for the world. Such attempts as had been made in America had been mainly unsuccessful. Even the offer of a substantial subsidy by the legislature of Massachusetts, had not been effective in accomplishing more than the establishment of a small mill at Beverly, run by horse power. But more convincing than this to Lowell and Appleton, sojourning in Edinburgh, was the fact that the twenty years previous had witnessed in Great Britain a tremendous development of the industry. Discoveries and inventions had been heralded abroad, and made the talk of the civilized world, and the importance of the subject was crowded upon the attention of the most casual observer in England or Scotland.

The textile districts had undergone a complete social and industrial revolution. This was the birth of the modern industrial era. Hand work upon the spinning wheel and loom had just been displaced by machinery driven by water wheels or steam engines. Great fortunes had been made. England was sending cotton fabrics to every quarter of the globe, and their export had become one of the great features of trade.

The apprentice system, by which the youth were trained by competent master-workmen, isolated by cottage groups,

and these by villages, all over northern England and southern Scotland, had been supplanted by the factory system which herded large numbers of people together, ill prepared for the influence of such circumstances, under the lax moral restraints of the period. In the place of an industrial

PAWTUCKET BRIDGE.

system which had been conservative of the welfare and development of a people for more than four hundred years, conditions had been created that threatened the very life and character of the nation. Measures aimed at the relief of factory people had been in the juggling hands of parliament politicians for nearly ten years. Great organizations of trade and great societies of philanthropy, all over the

kingdom, involving its greatest minds and most vital interests, disputed back and forth over the comparative importance of material gain and practical ethics.

All of these features and many more tossed upon the sea of British popular life, and forced themselves upon the interest and attention of the two Americans referred to in this sketch. Both recognized the opportunity to test the best features of the cotton industry in the United States. Over here where the raw cotton, abundant water power, a different social condition and a government eagerly waiting to foster such an attempt with suitable legislation. The project appeared wholly feasible. It remained only to secure the necessary knowledge as to how to carry it out. This Mr. Lowell undertook to do. Mr. Appleton returned to America and his business in Boston. Mr. Lowell remained in England and Scotland two years, studying the problem. He went to the great cotton manufacturing centers, went into the mills when he could, talked with manufacturers and operatives, made drawings, calculations, and plans sufficient to enable him to reproduce the machinery and organization of a cotton mill. The exportation of cotton machinery from Great Britain was forbidden. This was unnecessary so far as Mr. Lowell and his friends were concerned, for they not only established a better industrial system, but they invented better machinery than they had seen in England.

Mr. Lowell upon his return to his own country induced the investment by his friend Mr. Appleton, his brother-in-law, Patrick Tracy Jackson, and a few others, of $100,000 in an attempt to manufacture cotton cloth at Waltham. That capital shortly afterward was made $600,000, one of the largest probably, engaged in any similar business at that time in this country. It is a fact that in some degree indicates the thoroughness with which he studied the question in England and Scotland, that he was able to induce staid old provincial business men like those of Boston, to venture so much money in such an undertaking. With the commercial side of the question we are not now concerned. Something more than money was necessary in this

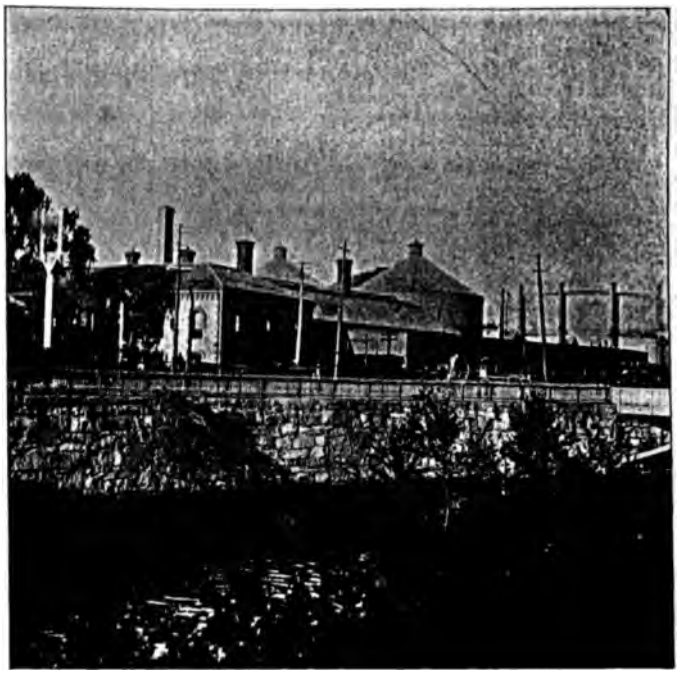
thinly settled country, to practically employ $600,000 capital out here in East Chelmsford, in a manufacturing industry having the forbidding reputation already acquired by the cotton districts of Great Britain.

It is not less illogical, to suppose that the social arrangements, which accompanied the establishment of cotton factories in Lowell, were spontaneously conceived, than to

BAY STATE MILLS.

suppose that the machinery and methods of mill administration, were originated without the aid of observation of similar conditions elsewhere. It is known beyond any doubt that Mr. Lowell secured his data for the latter, from English factories, although he made vast improvement in their application. It is no less true that circnmstances, exhibiting the characteristics of what was subsequently the social life of Lowell operators, were in 1811, existent within the zone

of movement of Mr. Lowell and Mr. Appleton. It is hardly less certain that these conditions stand to each other in the relation of cause and effect. One may be morally sure that the suggestions at least, that the treatment socially, of the persons who became Lowell operatives, came from a single conspicuous example of splendid philanthropy, so placed and so insistent in its lesson that it could neither be passed



PLANT OF LOWELL GAS LIGHT CO.

by or ignored. There was one man living in Great Britain, when Francis Cabot Lowell and Nathan Appleton were studying the subject of cotton manufacturing, from Edinburgh, whose life and work were competent to teach that lesson, and to account for all the splendid results of its application, transformed and improved in its passage through the minds and hearts of American business men. That man who could teach these things was one of the

most successful cotton manufacturers at that time in Great Britain, and one of the most enlightened philanthropists of his age or any other. His business life was passed in the area naturally under Mr. Lowell's examination and his great business successes were obtained about that time. The village and the mills wherein he demonstrated the truth of the majestic principle of the perfect commercial practicability of humane treatment of mill operatives, was located

ASSOCIATE BUILDING.

within a few hour's journey of Mr. Lowell's headquarters, and thousands of visitors including crowned heads and princes of the realm visited it every year. His name was in the mouth of every member of parliament. His advice and aid were sought by trade and philanthropic societies throughout the kingdom for the purposes respectively of increasing the volume and success of the industry, and of

ameliorating the ruin it left in its track. He was the most conspicuous figure connected with the cotton industry in Great Britain, taking the business in all its features of interest. His name was Robert Owen, the first factory reformer of England, the first to practically interfere in the prodigious evolutionary struggle of this nineteenth century to protect the weak against the spoilation of the strong, the unoffending ignorant against the unscrupulous tyranny of the educated; the idle, the vicious and the wicked of factory towns against the consequences of their own depravity. It was the work of this man undoubtedly, that helped to solve one of the greatest difficulties in the path of the early great cotton manufacturers of America.

Robert Owen was the son of a Montgomeryshire saddler, and a Newtown farmer's daughter, born May 14, 1771. At the age of 10 years he was apprenticed to a London draper. After several changes in employment he located at the age of 18 in Manchester, in partnership with one Jones making spinning mules, then a comparatively new and profitable article of manufacture. The partnership not proving agreeable, it was dissolved after a year's duration, and Owen took out as his share, a few of the machines which the firm had been making. These he set up and put at work; and thus became a cotton spinner. His first year's profits were about £300, or $1500. Then he became manager of the mills belonging to a Mr. Drinkwater, employing about 500 persons. To distinguish his own product from that of his predecessor, he marked the former with his own name. A few years later, when he had left the employment of Mr. Drinkwater, he found, somewhat to his surprise, that this proceeding had brought him reputation as a fine spinner, for in a year, he increased the fineness of the product from the Drinkwater mill, from 120 to nearly 300 counts; that is, he made a pound of cotton yield about 300 hanks of thread, 840 yards to the hank, instead of 120 hanks of the same quantity. Robert Owen's contract with Mr. Drinkwater was terminated by the desire of the latter to introduce his prospective son-in-law, a person unfamiliar with the business, as a partner. Owen preferred to get out, and he did so,

carrying his experience and savings out into the world to begin anew. He carried also, a determination in his future work to correct some of the needless hardships caused by the conditions of the times to factory operatives. The demand had impressed itself upon him while managing Mr. Drinkwater's factory, and had been a subject of conversation between himself and certain gentlemen of Manchester interested in the subject.

C. I. HOOD & CO.

Robert Owen in 1771 as well as Francis Cabot Lowell in 1774, began life in the period which witnessed the decay and death of the industrial system of which hand labor was the principal feature, and at the birth of the system that has to so great an extent supplanted hand labor by machinery. In 1762 Hargreaves invented the spinning jenny or mule. Five years later Richard Arkwright im-

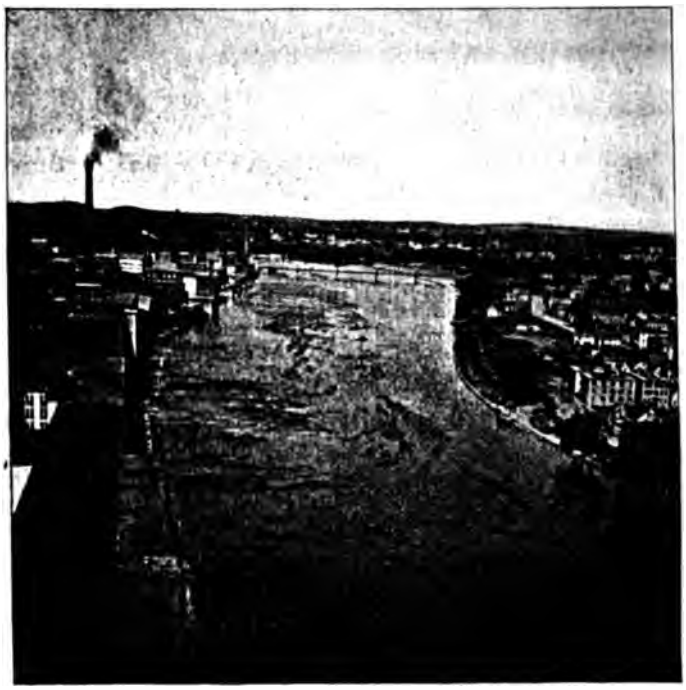
proved upon it and gave to the world, the spinning frame, carding, and drawing machines, that virtually put the industry of cotton spinning by machinery on its feet. The year 1785 witnessed the invention by Rev. Samuel Cartwright, of the power loom. Watt perfected his steam engine in 1782. Thus, within the childhood of the men in whom we are here specially interested, were set in motion the forces that revolutionized the entire industrial system of the civilized world.

Here is a picture of the industrial conditions in the North of England, in 1770, the year before Robert Owen's birth. It is the narrative of William Ratcliffe, relating his own experiences, published in Gaskell's work on British Manufactures, issued in London in 1833. Mr. Ratcliffe says: In 1770, the land in the township of Mellor, 14 miles from Manchester, was occupied by 50 or 60 farmers. Rent, to the best of my recollection did not exceed ten shillings per acre, and out of these 50 or 60 farmers, there were only six or seven who raised their rent directly from their farms. All the rest got their rent partly in some branch of trade, such as spinning wool, flax, or cotton. The cottagers were employed entirely in this manner except for a few weeks during the harvest * * * Cottage rents at that time, with convenient loom shops and a small garden attached, were from one and one-half, to two guineas ($8.87 to $10.50) per annum. The father of a family would earn from eight to eleven shillings per week at his loom, and his sons, if he had one or two or three alongside of him, would earn six or eight shillings per week each. But the great sheet anchor of all the cottages and small farms was the labor attached to the hand wheel or loom. It required six or eight hands (persons) to prepare and spin yarn of wool, linen, or cotton, sufficient for the consumption of one weaver. This shows the inexhaustible field for labor of every person from seven years to eighty, who retained their sight and use of their hands, to earn their bread, a cost represented by one to three shillings per week.

"From 1778 to 1803 was the golden age of spinning and weaving. The new machinery had superseded the spinning

wheels, and weaving was unchecked by want of weft. The hand weaving still went on in new loom shops attached to the cottages, and all were filled, all were busy."

This was the period of transition. During this time the spinning machinery and power loom were perfected, and the steam engine passed from the stage of a laboratory experiment to that of a practical motor to drive machinery. The social and economic conditions of the time depended upon



VIEW UP MERRIMACK FROM MASSACHUSETTS MILLS.

the steam engine. Until *it* was perfected, the only great source of natural power was in falling water. For this, the manufacturers were obliged to follow up the streams and establish their mills wherever they could find a sufficient fall. This necessity as a general thing took them away from thickly settled communities and the *more available* sources of labor supply. The apprentice system was

strictly governed by law and based upon the needs of the cottage system of industry. The weaving was still done in cottages, and boys were apprenticed to master weavers until long after the factories supplied all the yarn that was used. But a manufacturer could not apprentice several hundered persons to work in his spinning mill. It was but a little time indeed, after the invention of spinning machinery, before the owner of the plant abandoned personal oversight of it altogether. As fast as he accumulated money he bought more machinery, built more mills, and hired managers. He was the prototype of the individual mill owner of the present day. The perfection of the steam engine and its general adoption changed these conditions very materially, inasmuch as it permitted the transfer of operations to the large cities where plenty of help could be obtained. But there was at least a quarter of a century, dating from about 1785, during which period the changes going on caused untold and indescribable misery.

"In certain branches of factory industry, the labor of young people was a necessity, but there was a strong indisposition on the part of parents to allow it. Frequently the population was thinly settled about the places where available water power made it desirable to erect spinning mills, and the lack of child labor was severely felt. Inndoor apprenticeship was the rule in connection with the small industries of the kingdom, but with the factories this was impossible. To supply the children, resort was made to the work-houses. As large a number of pauper children as were desired were indentured to the foreman or manager, under whom they worked. They were driven to their destination in droves. The work-house authorities, glad to get rid of them, prudently stipulated that the contractors should take a due proportion of the ailing and idiotic. They were housed and bedded in sheds, fed with food which was poor and insufficient in quantity. The beds in which they slept, in consequence of the double shift, then commonly worked, were no sooner vacated by one shift than they were occupied by another. They were unable to look after themselves, and having no one to do so, were at the mercy of men

who regarded them simply as implements of labor. Their ill treatment and suffering was heart-rending, but bad as it was, it remained unnoticed until disease bred among them, spread alarm among people in the neighborhood of the factories.

It was substantially such a state of things as this that Robert Owen found when he entered the factory of Mr. Drinkwater as manager. It should be understood that *this* was *before* the days of factory laws, and whatever regard may have been paid to the rights of freeholders, there was practically no law of *any* kind that interfered between the pauper and the master. The changing conditions of the times swept the means of self-support away from multitudes. The alms-houses were rapidly filled and as quickly emptied. Pauper children were fed into the avaricious maw of capitalism, and in the ceaseless, remorsless grind of its machinery, were absolutely crushed to death. Robert Owen immediately applied himself to work of improvement. He instituted changes in the mills under his care, to relieve the hardships of the operatives, particularly the paupers. He associated himself with philanthropic men in Manchester, to enlarge and carry on a work of reform, and within a few years, the incident by which he left the Drinkwater mill, furnished him with means of still further practically applying the principles which had become a well settled policy in his mind. The mills of a Mr. Dale, at New Lanark, near Glasgow were for sale. Owen induced a few capitalists to buy them, and became the sole manager of them. Here he put his ideas into practical operation. He changed the policy of handling workmen in the mills, dealt kindly, and with absolute honesty with them, introducing a system of checks by which both employer and employe could know what was respectively their due. He abolished the pauper system, improved the dwellings, established schools for the children, and created a model industrial village at the falls of the Clyde in the little town called New Lanark. His work was laughed at and scorned outside, but it was successful. The mills made money, and the people became thrifty, prosperous, and happy. In other parts of the cotton districts

things went from bad to worse. Robert Owen went quietly on his way preparing himself for the struggles that inevitably was coming.

In 1802 Sir Robert Peel wrested from parliament England's first factory act. These were its provisions:

1.—Working hours limited to 12—Not to begin before 6 a. m., or continue after 9 p. m.
2.—Instruction for apprentices.
3.—One suit of clothes per year.
4.—Factories to be whitewashed twice a year.
5.—Separation of sexes in sleeping apartments.
6.—Inspection.

The law was the perfect embodiment of imbecility, so far as its correction of the abuses at which it was nominally aimed, was concerned. It serves an excellent purpose now, however, to show the shocking state of affairs of the time. Fortunately for the pauper apprentices the general application of steam was made about this time, and the factories could be operated in large towns where labor could be had on practically any terms. The paupers were gradually emancipated from their slavery, but the shadow of their wretchedness clung to the whole industry of cotton manufacture, and the transfer to the towns of the mills, did but enlarge the field of human misery and degradation. The inndoor apprentice system, with its relatively favorable influences of segregation in small groups, under respectable, humane master workmen, was swept away never to return. Factory agitation in parliament dates from this period. Among the effects accompanying the new order of things, noted time and again in the parliament debates of the period were these: Vicious example, lack of mental development, coarseness and impurity, disruption of family ties, dram drinking, crowded dwellings, cellar residences, diseases engendered by early and incessant toil, infant mortality, deleterious effects of breathing cotton dust, scrofula, indigestion, fever, consumption, premature old age, pauperism. In various ways the facts were thrust upon the ruling classes in a manner that left only two alter-

natives:— Intelligent, energetic measures of reform, or a progressive degeneration that threatened the very social fabric of the kingdom.

Robert Owen's object lesson at New Lanark was the unanswerable argument of the reformers. "From 1816 to 1822," says his biographer, "his work had attracted so much attention that his general plan of dealing with the population

UNITED STATES CARTRIDGE CO.

of his village, was regarded as suited to the general condition of society, especially, as applied to the poor of the kingdom." Thousands of strangers visited the little village every year. Among them in these latter years, as the subject of factory reform had attracted the attention and aroused the conscience of the nation, were the Duke of Holstein and brother; Grand Duke Nicholas, afterward emperor of Russia; Prince John and Maxmilian of Austria; Baron Just, ambassador from Saxony, and many foreign official

representatives at the court of Great Britain. An American traveler, Mr. Griscom wrote, that not in any part of the world was a manufacturing village to be found, in which so much order and good government, tranquility and rational happiness prevail.

On the other hand, the average condition elsewhere in the cotton districts was vastly different. Mr. Gaskell, the author heretofore mentioned, says: "The work people had to rise between 4 and 5 in the morning all the year round. Still weary from the previous long day's work, young and old, hurried to the mill, with or without food. At 8 o'clock, half an hour, and in some instances 40 minutes, was allowed for breakfast. The engines frequently worked on so that the meal had to be eaten and the work overlooked at the same time. Breakfast was brought to the mill, usually consisting of weak tea with bread or milk and meal porridge. Sometimes a little gin or other stimulant was included. When the hands lived near by the mill, they went home to breakfast, but this was not the rule. After this there was nothing but the continuous, never-ceasing grind of machinery, without one minute's interruption until 12 o'clock. The mill then stopped until 1. Then the hands rushed home to snatch their dinner which consisted of boiled potatoes very often eaten alone, and sometimes with a portion of animal food, this latter being found on the tables of the more provident. If the houses were some little distance from the mill, as was commonly the case, much of the hour was consumed in coming and going. An old woman in the neighborhood of the home, usually cooked, in the worst way, such food as the family devoured in a kind of scramble. As soon as this was over, the family again dispersed to work. * * * From 1 o'clock until 9, the labor then went on without ceasing, with the exception of 20 minutes allowed usually at 4 o'clock, for tea or "bagging" as it was called. * * * The rooms in the mills were crowded; the atmosphere heated; the food taken to the mill was covered with cotton flue—the result of all being deformity, premature death, and much else that made the factory system of England for many years, the worst curse by which the people of that country were ever afflicted.

The objects uppermost in the mind of Francis Cabot Lowell at this time, undoubtedly had reference to the mechanics of his intended enterprise. Drawings of machinery, plans of mills, methods of administration, the markets, wages, profits, etc., constituted the principal subjcts upon which he sought to inform himself.

But it is impossible to escape the conclusion, that the housing and treatment of operatives, with the relative result of various conditions, which were the subject of such fierce controversy, during his comings and goings among the factory communities, escaped his notice and study. It is practically as certain that he examined the work of Robert Owen, both as to his mills and social environment of the people, as if the visitors' register containing his name were actually before us. He returned to Boston in 1813 prepared not only with the mechanical details of his business, but as subsequent events amply showed, ready with methods to avoid, rather than to solve, in his proposed field of operations, the perplexities of an operative system, whose evils had nearly counterbalanced the benefits which it conferred upon the human race in general.

Francis Cabot Lowell died in 1817. He witnessed the successful establishment of the cotton manufacturing business at Waltham, carried on even at the present day by the Boston Manufacturing Company. It is only incidentally material to this inquiry whether the domestic arrangements of the enterprise, as subsequently, and from the first, established at Lowell, were previously tried at Waltham. The treasurer's books of the Boston Manufacturing Company as far back as 1814, show the cost of houses and tenement blocks, and a certain historian of Waltham says that good boarding houses, schools, a church and a building occupied and known as the "Rumford Institute of Mutual Instruction" were built by the company. So far as they go, these facts support the idea that they were the application by Mr. Lowell, of the example of Robert Owen at New Lanark. Still, there was a considerable settlement at Waltham upon which to draw for labor, and the business was started in a small way, as compared with the venture made

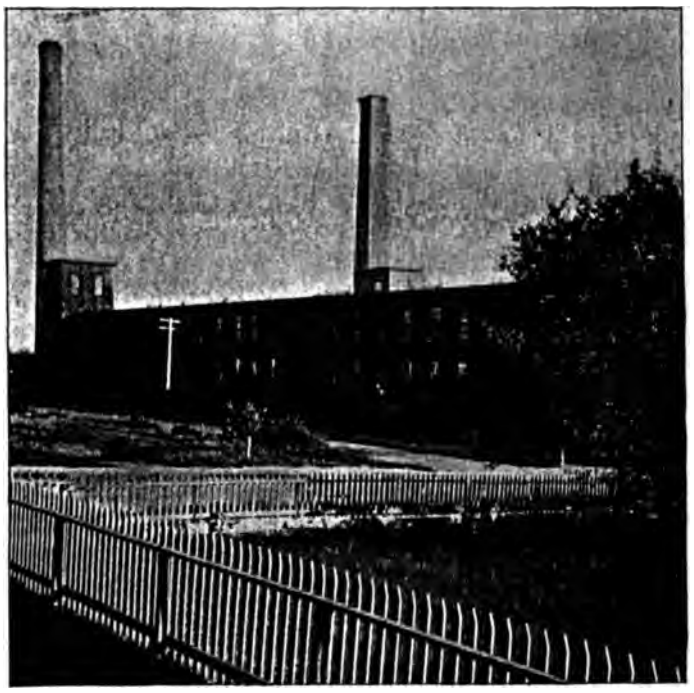
in 1821 at East Chelmsford. It is apparent at least, that a much broader application of the underlying principle of Robert Owen's work, was made here.

In the great work of establishing this industry, the intelligent and interested supporter of Mr. Lowell, was his friend Nathan Appleton. The former never dreamed of the expansion of the business which only a few years after his death was carried out by Mr. Appleton and a few friends. Appleton had become wealthy. His comprehension of the commercial possibilities was greater than that of any of his associates. His was a mind of uncommon breadth and versatility. This cotton manufacturing business never more than incidentaly occupied his attention, but so far as it did, he brought to it the same search for the broader outlook that had already characterized his successful mercantile career, and which subsequently manifested itself in a service in congress, and in the study and authorship on questions of political economy and labor. The quality of his heart was demonstrated in numerous practical charities. His name is one of those most honored among many whose owners have added lustre, by their lives, to the grand old capitol of this commonwealth.

When the matter of building mills at Lowell came up, Mr. Appleton, whose participation in the factory at Waltham had been financially satisfactory, was a director and very soon became president of the company. The problem as to labor seems to have been very different from that at Waltham. There it gave very little trouble. But at Pawtucket falls it was proposed to profitably employ from the outset, $600,000, and out here in East Chelmsford, was only a farming population. On the whole of what is now comprised in the central portion of Lowell, there were scarcely more than 20 houses. Within the radius of practicable employment in connection with such mills, there were not at that time enough persons, counting in everybody of working age, to furnish a small fraction of the help required.

Hardly less insuperable than this absolute absence of a working constituency, was the almost inextinguishable

prejudice of the people against cotton factory life. They saw it against the terrible background of actual conditions in the old country. This rural New England population would have nothing to do with such a business, much less would New England parents permit their daughters to incur the risk of such contamination. Nothing would have been more preposterous to these people at this time, than a proposition to mobilize an industrial army within the sound



SHAW STOCKING CO.

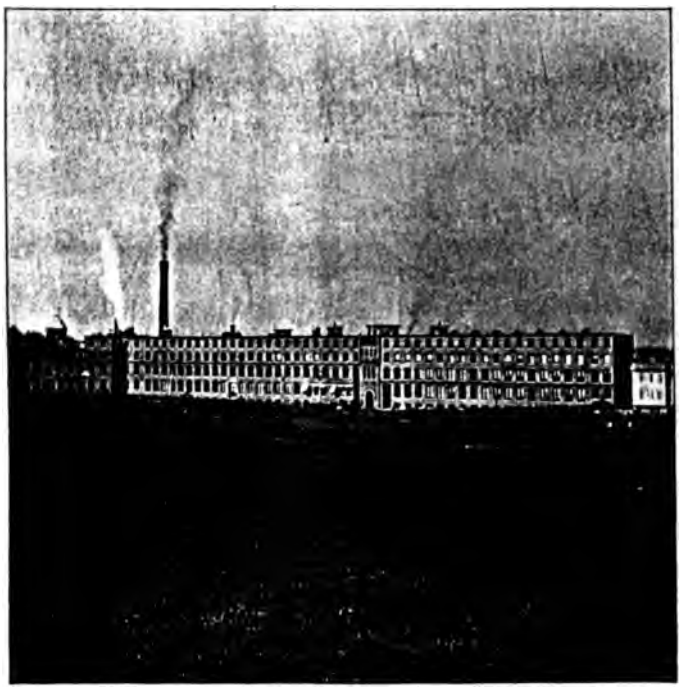
of a mill bell at Pawtucket falls. There was in short no visible supply of labor in this vicinity good, bad, or indifferent.

Mr. Appleton says in his pamphlet regarding the establishment of mills at Lowell: "The question arose and was deeply considered whether this degradation (alluding to the conditions observed in England) was the result of

the peculiar occupation or other distinct causes." One wishes here for the details of that "deep consideration" which they gave the subject. Nevertheless, the context, so to speak, reveals something of the gravity and substance of that conference. Mr. Appleton's was easily the ruling mind in the deliberations regarding the mills at Lowell, now that Mr. Lowell was dead. He brought to this matter of the labor problem here, the fruit of his own observation in England, together with that gained in his conferences with Mr. Lowell, and the experiment at Waltham. His mind was informed on the details of the parliamentary struggle going on in England where Robert Owen was the most conspicuous figure. His motives were governed by the inbred moral aspiration of generations of Pilgrim and Puritan ancestors, and he had a pride in and a familiarity with the fundamental elements of New England character. These considerations were tempered by a judicious intuitive instinct of what was commercially wise and expedient, and the proposition that came from the body of capitalists under his advice, that the country girls be invited to come into the mills and work under suitable chaperonage and moral safeguards, is exactly the result to be expected from his correlation of all the elements in the problem.

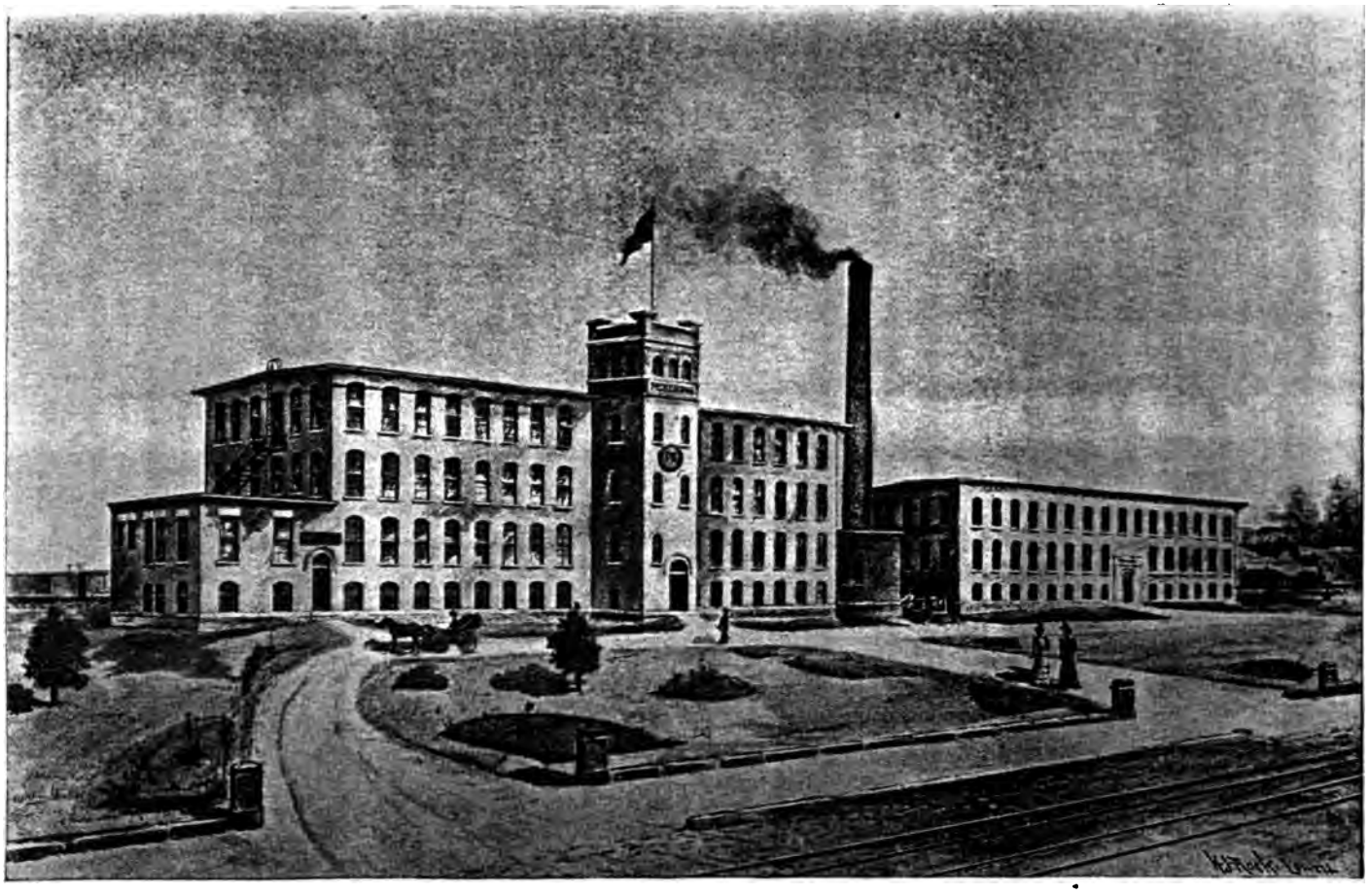
The Lowell boarding house system is now a matter of history. It is now seen to have been one of the indispensable requisites of success to the manufactuaing enterprises in this vicinity. Its later history differs in some material respects from that of its early days. That is another story. In its beginnings, however, it gave to this business venture, one of the most intelligent and morally estimable bodies of operatives ever gathered in a cotton mill. It is not necessary to assume the universality of conditions like those represented in the Lowell Offering. The fact is discernible in the success of the business. It is easy to see what was the prevailing character of this population in the homes that were established, in the descendants, in the social customs, intelligence and virtue of this present people. For more than a quarter of a century the relatively ideal social life of this community was its distinguishing characteristic,

Lowell was better known abroad by the high character of its operative population than by its manufactured product. Its fame extended even across the water to the borders of that little village to which it owed so much. The spirit of that broad humanitarianism has been its own priceless possession in its subsequent growth and development. The influence and example, flowing from the established conditions in Lowell, have been felt throughout this common-



AMERICAN HIDE AND LEATHER CO.

wealth, perhaps further. The whole body of factory legislation, which on the whole is one of the most creditable of tributes to the philanthropy and wisdom of the people of Massachusetts, is but the expansion of the splendid conception of the worth of humanity, worked out by Robert Owen on the banks of the Clyde in Scotland, transformed and applied by the founders of the first great manufacturing community in the new world.



PICKERING KNITTING COMPANY.

HAMILTON MANUFACTURING COMPANY.

The Hamilton Manufacturing Company was incorporated January 26, 1825, with a capital of $600,000, which has been increased four times and is at present $1,800,000. Shares, 1,800; par value, $1000.

The mills are located along the Hamilton and Pawtucket canals, between Central Street and the Appleton Corporation, and manufacture prints, flannels, tickings, stripes, drillings and shirtings.

Spindles	109,816
Looms	3,130
Males employed	800
Females employed	1,300
Yards of cloth made per week	714,000
Pounds of cotton used per week	190,000
Tons of coal consumed per annum	13,000
Gallons of oil used per annum	11,000
Pounds of starch used per annum	400,000
Weekly pay-roll	$14,000

THE LAWYERS OF LOWELL IN ITS EARLY HISTORY.

JOHN J. PICKMAN, ESQ

Prior to 1740 there were but few lawyers, distinctively such, in the cities and towns of New England. The members of the profession were not looked upon with favor in the communities of those days, but were evidently regarded as auxiliaries of the evil one. Disputes between neighbors were not unfrequently settled by the minister, or, if resort were had to the courts, men of good judgment or endowed with glibness of tongue were employed to represent the litigants.

With the growth of communities and the increase of controversies it became necessary to secure the aid of persons skilled in the law to act at the trial of causes, to properly present the facts and the law before the tribunals appointed for the purpose of deciding controversies; and with the growing necessity for the need of skilled lawyers higher standards of training were required, so that at the close of the Revolution the lawyer or squire was ranked with the minister and the doctor, and a bar came into existence composed of men trained in the schools, able and accomplished in their profession.

The causes of action were chiefly disputes as to boundaries, rights in land, controversies as to the succession of estates and the collection of debts that were then enforced by imprisonment of the body of the debtor. On the criminal side were the ordinary offences against the person and against property.

Prior to the founding of Lowell there were lawyers in Chelmsford, Dracut, Tyngsborough, Westford, Billerica, and other surrounding towns, many of whom were exceedingly able counsellors.

In the town of Chelmsford in 1726, Joel R. Adams was a practicing lawyer; he was a graduate of Harvard College, and a skilful office lawyer. The records at the Registry of Deeds at Cambridge indicate that he had a large practice as a conveyancer. For a short time he practiced law in Lowell. He was the first president of the Prescott National Bank of Lowell, and his portrait hangs upon the walls of the directors' room in that institution.

The first lawyer to settle and practice in what is now Lowell was Asahel Stearns. He was born June 17, 1774, and died February 5, 1839. He opened an office about 1800, near Pawtucket Falls, where he practiced law until 1817. He resided on the corner of School and Pawtucket Streets, the site of the house now owned and occupied by Mr. Thomas G. Gerrish, and his law office was on the Dracut side of the river. He was the author of a well known treatise on the law of Real Actions, and was profoundly versed in the law. He was subsequently a professor of law at Harvard College and resided at Cambridge at the time of his death. A directory of the town of Lowell and of Belvidere Village published in the year 1834, a small book of 161 pages, veritably a pocket edition, contains a list of counsellors and attorneys then practicing in the town, 30 in number, and I deem it of sufficient interest to give their names and the location of their offices:

Nathaniel Wright, Merrimac Street Town-house.

Elisha Glidden, Central Street, Railroad Bank Building.

John R. Adams, Lowell Street, corner of Adams Street.

John P. Robinson, Central Street, opposite American House.

John A. Knowles, Central Street, opposite American House.

Elisha Fuller, Central Street, opposite American House.

Luther Lawrence, Central Street, Railroad Bank Building.

John L. Sheafe, Central Street, Railroad Bank Building.

Seth Ames, Central Street, Union Buildings.

William Hilliard, Jr., Central Street.

Francis Hilliard, Central Street, Crosby's Building.

Samuel H. Mann, Bank Block, Merrimac Street.
Samuel F. Haven, Central Street, Railroad Bank Building.
Isaac O. Barnes, Railroad Bank Building.
B. Streeter, Central Street.
William T. Heydock, Central Street.
Horatio Merriam, Central Street, corner of Warren Street.
Edward R. Olcott, Central Street, corner of Gorham Street.
John M. Wilson, Central Street, Hamilton Building.
Joseph Locke, Central Street, Crosby's Building.
George Woodward, Central Street, Crosby's Building.
Charles Warren, Central Street, Crosby's Building.
Thomas Hopkinson, Railroad Bank Building.
Amos Spalding, Central Street, Crosby's Building.
Samuel Parker, Central Street, Union Buildings.
Tappan Wentworth, Railroad Bank Building.
William Fuller, Central Street, opposite American House.
William Smith, Bank Block, Merrimac Street
Philip Ammidon, Central Street, Crosby's Building.
William L. Chaplin, Central Street.

The number of inhabitants in Lowell at the time was about 12,000, and in the Village of Belvidere there were about 1,000 more. The number of Justices of the Peace was 10. The law term of the Supreme Judicial Court was held at Cambridge on the third Tuesday of December in each year, and the *Nisi Prius* term was held at Concord on the second Tuesday in April of each year. The Court of Common Pleas held a term at Concord on the second Monday of June, and Cambridge on the second Monday of December.

Nathaniel Wright was one of the first lawyers to settle in Lowell; he was born in Stirling, Massachusetts, February 13th, 1785, and died November 5th, 1858. He graduated from Harvard College in 1808. He studied law with Asahel Stearns, and upon his admission to the Bar opened a law office on the Dracut side of the Merrimack River, and lived in a house on the corner of School and Pawtucket Streets in which Mr. Stearns had resided; he was promi-

nent in the affairs of the town, being chairman of the board of Selectmen for several years. He was elected Mayor of the city, shortly after its incorporation, in the year 1842, and was re-elected the following year. It is related of him that upon his induction into that office at the conclusion of the ceremony of being sworn into the office, he refrained from making a formal address to the two branches, simply remarking that the state of the affairs in the city were as well known to the members of the city council as to himself, and each one was supposed to know his own duty under the circumstances; this example of brevity has not been largely followed by his successors in that office. For a lawyer he manifested a taciturnity that is little short of marvelous; he was the first president of the Lowell Bar and continued in that position for 30 years.

Elisha Glidden was born in Unity, New Hampshire, in 1789, and graduated from Dartmouth College in 1815; he studied law in the office of Samuel Hubbard, formerly a Justice of the Supreme Judicial Court of the Commonwealth; in 1820 he went to Townsend, Massachusetts, and practiced his profession for a long time, and then removed to Boston and afterwards to Lowell; his office was in the southerly end of the wooden block standing where the Appleton Bank is now located, and he lived in a building on land of the Hamilton Company, nearly opposite his office, and afterwards removed to a house built for him on the corner of Gorham and Appleton Streets, near the brick block afterwards erected by Mr. Charles Runels. Mr. Glidden had a large office practice and was a very skillful conveyancer. He was regarded as a wise counsellor, and for a long time was the attorney of the Proprietors of the Locks and Canal on Merrimack River; he was a contemporary of Hon. Nathaniel Wright and John R. Adams, and afterwards of the Hon. Seth Ames, John P. Robinson, and Tappan Wentworth. John A. Knowles was a student in his office. As an instance of his readiness of resources, it is said that he had a client in Tewksbury who was desirous to refer a cause that he had in court and applied to Mr. Glidden about its reference, saying, "I would like to refer

my action, but my opponent refuses to refer to any person unless he is a deacon of a church, and I don't want to refer my suit to any person who does not understand law;" to which Mr. Glidden immediately replied, "we can fix that well enough for I know two good lawyers who are deacons." To which the client replied, "I did not know lawyers could be deacons." "Oh, yes," replied Mr. Glidden, "Joseph Locke and Joel Adams are both deacons and very good lawyers, too." The client then replied, "I'm glad you told me, we will have them, please draw the papers and we will refer the case." Mr. Glidden accordingly drew the papers for referring the case, and Messrs. Locke and Adams settled the difficulty. Mr. Glidden was one of the first directors of the Railroad Bank, and Luther Lawrence, his partner, was the first president. He was the first president of the Lowell Institution for Savings, and served until his death, April 2, 1835.

John R. Adams was born in North Chelmsford, Massachusetts, December 7, 1798, and died June 16, 1848, aged fifty years. He was a graduate of Harvard College in the class of 1818; he was the uncle of the late Daniel S. Richardson and of George F. Richardson, now the nestor of the Lowell Bar. He shared the belief of many of the early residents of Lowell that the business of the place would center upon Lowell Street, and with that view erected the Adams block at the corner of Lowell and Salem Streets, and in that building was his law office for several years; he was for a time the owner of the Daily Journal published in Lowell in the year 1832. He was an alderman of the city in 1840 and in 1841.

John P. Robinson was born in Dover, New Hampshire, March 16, 1799, and died October 20, 1864; he was a graduate of Harvard College and studied law in the office of Daniel Webster; he commenced the practice of law in Lowell in 1827. Horatio G. F. Corliss was associated with him for a time, first as a student, and afterwards as a partner. Mr. Robinson was a fine classical scholar, and one of the most distinguished lawyers who have ever practiced here, and his name and fame have been scarcely diminished by the

lapse of time, due perhaps in part, to the pungent lines of the poet, James R. Lowell that are brought to mind when the name of John P. Robinson is mentioned. He was counsel upon the one side or the other in most of the important suits within the limits of the city and county during his stay here, and was honored in an exceptional degree by his fellow citizens by election to some of the most important offices within their gift. He served for five years in the legislature, and was for one year state senator, and was one of the committee on the revision of the statutes of the Commonwealth in 1836. He was a fine orator upon the public platform and an able advocate at the bar; he was eccentric in his manners, and some of the old residents now living have seen him as he walked the street touching every post that he passed, or at times talking to himself and gesticulating as walking with slow steps at the extreme edge of the sidewalk he passed to his house or office. He was counsellor for the Proprietors of the Locks and Canals in the famous Melvin suits, brought by Benjamin Melvin and others against that corporation to recover large and valuable tracts of land in the heart of the city. He was buried in the Lowell Cemetery. It is truthfully said of him by a local historian "that he was an able and accomplished lawyer, an eloquent and powerful orator, and a thorough classical scholar."

Elisha Fuller was born in 1795, and died in March, 1855. He was the youngest of five brothers, all of whom were lawyers; he was somewhat active in politics, and was so independent in his views and in his attitude on public questions that in this day he would be designated as a mugwump. He was a pushing and energetic man and was not content with the monotony and small returns of his law practice and engaged in speculations that in the end turned out disastriously. His stay in Lowell covered a period of about twelve years, when he removed to Worcester, where he died. His brother, William W. Fuller, practiced law here for about eight years, then he removed to Illinois where he died in 1849. Henry H. Fuller, another brother was employed in 1834 to advocate before the people the annexation of the Village of Belvidere; a proposal that was not received with much favor by the representatives of the

MIDDLESEX COUNTY COURT HOUSE.

corporations of that day, as that region from the character of its population was looked upon askance by the conservative people of the good town of Lowell of 60 years ago.

Luther Lawrence was born September 28, 1778, in Groton, Massachusetts, and was killed April 16, 1839, by falling into a wheel-pit in one of the mills of the Middlesex Company. He was a member of the distinguished Lawrence family of Boston, some of whom had large interests in manufactures in Lowell, and his principal reason for coming here was to supervise and protect them. He was the second Mayor of Lowell, elected in 1838, and re-elected in 1839. Soon after his arrival in Lowell he formed a copartnership with Elisha Glidden, and afterwards with Thomas Hopkinson. Wendall Phillips was a student in the office of Lawrence and Hopkinson, and it is doubtless due to his association with these able and cultured men and the opportunity afforded him of entrance to the homes and society of the families of these men and others like them, that he derived his knowledge of the high grade of social culture and living existing here when he was a resident to which he has paid a splendid tribute in one of his letters. Mr. Lawrence was from the first active in town affairs and was largely instrumental in the passage of the act of incorporation of the city. He was a man of fine presence and distinguished manners and a type of the men possessed of high character, intelligence, and energy that founded the manufacturing interests of the city.

John L. Sheafe, was born in Portsmouth, New Hampshire, November 28, 1791, and died in New Orleans, La., January 8, 1864, aged 73 years. He represented Lowell in the legislature in the years 1833 and 1836. He was quite active in politics and disposed upon all occasions to express his views concerning the issues of the day as related to public affairs. He was somewhat careless in his dress and inclined to be indolent. An old resident who boarded with Mr. Sheafe at the Merrimac House describes, probably, in an exaggerated way, his lack of energy by the remark that Mr. Sheafe usually succeeded in getting to his office about time to return to dinner, and went in the afternoon to his office in season to go to supper.

Seth Ames was born April 19, 1805, and died August 15, 1881. He was a graduate of Harvard College in the class of 1825, and was a son of the distinguished Fisher Ames of Dedham. His name is associated with Robinson, Hopkinson, and Abbott, as one of the leading lawyers of early Lowell. He took an active interest in the affairs of the city and was an alderman in 1836, 1837, and 1840. He was one of the trustees of the Lowell Institution for Savings, and was one of the trustees of the Lowell Cemetery. He was clerk of courts of the County of Middlesex, and was afterwards appointed one of the justices of the Supreme Judicial Court. He left Lowell prior to the time of his appointment in 1851. In a letter dated February 24, 1876, read at the semi-centennial exercises he graphically describes the law business of that day. The principal business of a lawyer in those days was the collection of debts, and as the law then stood the body of the debtor was a sort of collateral security for the debt.

William Hilliard, Jr., practiced in the town for a few years prior to the incorporation of the city, and I have not been able to find any further information concerning him.

The same remark is true of Edward R. Walcott, Benjamin Streeter, John M. Wilson, George Woodward, Charles Warren, Amos Spalding, Philip Amidon, and William L. Chaplin.

Samuel H. Mann was born in Orford, New Hampshire, May 25, 1801, and died in Charlestown, Massachusetts, October 30, 1838. His office for years was located at Tower's Corner. He was quite noted in his day in the trial of criminal cases being especially successful as an advocate before juries. It is narrated of him that upon one occasion in trying a case in court with Horatio Merriam, a lawyer residing in Tewksbury, opposed to him, Mr. Merriam addressed the jury with the following misquotation from Shakespeare, "Who steals my good name steals trash." "That is a fact," shouted Mr. Mann. He was one of counsel in the Melvin suits to which reference has already been made.

Samuel F. Haven was in practice in Lowell for about three years prior to 1838. He was a member of the school board in 1834. He subsequently removed to Worcester where he became secretary of the American Antiquarian Society. He died in that city.

Isaac O. Barnes was born in 1798, and died in Boston January 7, 1865, at the age of 67 years. He was a United States Pension Agent at the time of his death. He was very much of a wag, and many of his funny stories and sayings have been preserved in magazines and newspapers. Once when very sick he told his doctor that he had not long to live, to which his doctor replied, "Mr. Barnes your feet are warm, and no man ever died with warm feet." "That is not true," said Barnes, "John Rogers died with warm feet."

Joseph Locke was born in Fitzwilliam, New Hampshire, April 8, 1772, and died November 10, 1853, aged 81 years. He graduated from Harvard College in 1797. He studied law with Timothy Bigelow, an eminent jurist, and was admitted to the Bar in 1800. In 1801 he commenced to practice in Billerica where he resided for 32 years, when he moved to Lowell, where he lived 20 years. For 8 years he presided over the old Court of Sessions, and was a presidential elector in 1816. He was a member of the convention to revise the Statutes in 1820; a member of the Governor's Council in 1821 and 1822, and was a representative to the General Court for the town of Billerica for several years.

In 1833 the Police Court of Lowell was established, and Mr. Locke was appointed the first Jusitce and held that position until the year 1846. He is described by one who knew him intimately as an accurate scholar, an able lawyer possessed of a keen discriminating judgment and dignity of character sufficient to enable him to preside on the bench of the highest judicial court in the Commonwealth.

William T. Heydock was in practice in Lowell for about two years prior to 1835. He was a nephew of Daniel Webster and a brother of the distinguished President Haydock of Dartmouth College. He was a man of imposing appearance. As a lawyer he took high rank.

Thomas Hopkinson was born in New Sharon, Maine, August 25, 1804, and died November 17, 1856. He graduated at Harvard in 1830. He was a member of the Common Council in 1838, 1839, and 1848, and a representative to the General Court from 1838 to 1845, and a member of the State Senate in 1846. He was one of the ablest lawyers of his day, and was retained upon one side or the other of all the important suits from this part of the county. He was associated in business as a partner with the Hon. Seth Ames, and afterwards with the Hon. A. P. Bonney. In 1848 he was appointed a Judge of the Court of Common Pleas; he soon after resigned to accept the presidency of the Boston & Worcester R. R. He lived in Cambridge until the time of his death.

Josiah G. Abbott was born in Chelmsford, November 1, 1814. He was a graduate of Harvard College and studied law in the office of Joel Adams of Chelmsford, and came to Lowell in 1834, when he entered the office of Nathaniel Wright and pursued his studies there. In the directory of 1834 his name appears as a student at law with Nathaniel Wright. For a time he was editor of the Advertiser, and was afterwards succeeded by N. P. Banks, as the editor of the democratic organ in Lowell. In 1842 he formed a copartnership with Samuel A. Brown, which continued until 1855. In 1842 and 1843 he was a state senator. He was one of the counsel in one of the celebrated Melvin suits and the St. Anne's Church case. In 1853 he was elected a delegate to the Constitutional convention on the Coalition ticket. In 1855 he was appointed Judge of the Superior Court for the County of Suffolk. He resigned from the bench January 1858. In 1861 Judge Abbott moved to Boston.

The limits of this article prevent a recital of his distinguished career as statesman and lawyer in his later life.

William Smith was in practice in Lowell in 1834 and was then a partner with Samuel H. Mann. He afterwards formed a partnership with Benjamin F. Butler. He was the father of Henry F. Smith, afterwards Henry F. Durant by change of name, the founder of Wellesley College.

Samuel Parker lived in Middlesex Village for many years and is remembered as one of the parties in a fiercely fought legal contest instituted against him by George F. Farley, Esq., in which Mr. Parker was finally the victor.

Francis Hilliard, Jr., was an accomplished lawyer, and after he left Lowell was noted as a law writer of several valuable treatises, a work on torts and a work on mortgages.

Luke Eastman was known as the village lawyer. His office was located in a small building on East Merrimack Street on the site of one of the Prescott boarding houses. He was a good singer and a teacher of music, and a prominent member of the Beethoven Musical Society, a local musical society of 1824, interestingly described by Solon W. Stevens, Esq., in one of the contributions to the Old Residents Historical Association.

John A. Knowles was born in Pembroke, New Hampshire, April 25, 1800. In the autumn of 1827 he came to Lowell, at that time numbering only 3,000 inhabitants. He entered the office of Elisha Glidden, Esq., as a student at law. In 1832 he was admitted to the bar. When the Police Court of Lowell was established in 1833 Mr. Knowles acted as clerk for several years. He was chosen as a representative to the legislature in 1835, 1844, and 1845. In 1847 he was elected state senator. In 1847 he was elected President of the Appleton Bank, which office he held for nearly 30 years. Mr. Knowles in his early youth had not the opportunity for training in the higher grade of schools, but he did more than many who have such opportunity; he made the most of what chances he had to obtain an education, and kept up his studies during his whole life. He was a man of exemplary character and was possessed of both wit and judgment, and left the world brighter and better for having lived in it.

Edward St. Loe Livermore was born in Portsmouth, New Hampshire, April 5, 1762. He was the son of Samuel Livermore, a former Chief Justice of New Hampshire. He studied law at Newburyport, in the office of Chief Justice Parsons, and after being admitted to the bar began the practice of law at Concord, New Hamp-

shire, where he soon attained to a high position in his profession. In politics Judge Livermore was a zealous Federalist and took an active part in public affairs. In 1798 he was made a Justice of the Supreme Court of New Hampshire. In 1811, after having served three years in Congress he declined a re-election and soon after removed from Newburyport to Boston. About 1816 Judge Livermore bought the Gedney Estate, so called, in the town of Tewksbury, now Belvidere, a home farm of about 200 acres. This mansion house was beautifully situated at the confluence of the Concord and Merrimack Rivers, now the site of St. John's Hospital. The farm was afterwards sold to Thomas Nesmith and John Nesmith, and to their enterprise and sagacity are largely due the most attractive part of Belvidere to-day. Judge Livermore died on the 15th of September, 1832, and his memory as a courteous gentleman, an able lawyer and statesman lingers among the early recollections of Lowell.

Tappan Wentworth was born February 24, 1802, and died June 12, 1875. He was a member of the Common Council in the years 1836, 1837, 1839, 1840, and 1841. He was a member of Congress in 1852.

He was an indefatiguable fighter, well versed in the common law, and adroit and successful in the trial of a case, and especially skillful as a cross-examiner. He had a large practice and was regarded as a dangerous antagonist by his brother lawyers. I have heard it said that G. A. Somerby, Esq., tried a case in which Mr. Wentworth was engaged upon the other side that lasted several days, and at the close of the trial Mr. Somerby, who was a very vigorous man physically as well as intellectually, told the clerk of the court that he was completely exhausted; that his opponent was so watchful, resourceful, and effective at every stage of the trial that the tension had completely worn him out.

I have limited these sketches to the lawyers in practice in the very early history of the town of Lowell, and by reason of the inaccessibility of information as to many of the subjects I have been able to record in many instances

scarcely more than is sometimes found inscribed on gravestones, the date of birth, and the date of death.

The subject opens up a larger field with ample material at hand, the biographical sketches of the lawyers of a later day, not merely a bald record of dates and a list of offices held by the subject of the sketches, but flesh and blood recitals, with descriptions of personal appearance, eccentricities of speech and conduct, happenings in court, the sharp encounter of wits with Bench and Bar that are now obtainable of living contemporaries of lawyers more recently in practice in the city; recollections that will soon be lost or effaced from memory by the lapse of time.

NOTE.—In the preparation of this article, the writer has had frequent occasions to refer to and to freely use material to be found in the local histories, and in the bound volumes of contributions read before the Old Residents' Historical Asssociation of Lowell. J. J. P.

THE MEDICAL PROFESSION.

DAVID N. PATTERSON, M. D.

What the medical profession of Lowell has done to help the moral, mental, and physical advancement of mankind and to perpetuate the good name of our city is the object of this paper.

The limits of this article, permit me only to mention briefly the salient points in the lives of those who were once with us, but whose record has now become a part of our local history. For obvious reasons, no extended reference can here be made to those who are now living.

First — The medical profession of Lowell has been an *educated one.* A large number of its members have been collegiate graduates, while those, who for any reason, have not enjoyed the advantages of classical training, have by their studious efforts, made for themselves a name, honored and respected in this community, while their influence for good has not alone been confined to this state or even New England.

Prominent among the early physicians of Lowell stands the name of that scholarly gentleman and gifted writer, Dr. Elisha Bartlett. He was a type of the old school, of elegant person and accomplished manner; of rare conversational powers with an entire absence of affectation. Possessing pure and exalted principles, he left an impression upon this city which shall live as long as memory shall survive, and a marked influence for good which will extend to future generations.

He attained great eminence as an author, both as a medical and miscellaneous writer. His first efforts with his pen

commenced when he was seventeen years of age. While a resident of this city amid his many and arduous duties, he started a monthly journal entitled "Medical Literature and American Medical Students' Gazette."

Dr. Bartlett's editorial ability was recognized by that celebrated and accomplished writer, philanthropist and statesman, Horace Mann who engaged him to revise for him "Paley's History of Natural Theology." This involved considerable labor, as it extended through five or six volumes.

It is a matter of record, that his efforts as a lecturer, in which he attained a world-wide reputation, especially as a medical instructor, he made in this city. When but twenty-eight years of age, he entered upon his professorship at Pittsfield which he held for several years. Subsequently he occupied a chair in the medical department of Dartmouth College, and another also in Baltimore. He was six years Professor in Transylvania University, Kentucky, and for one year in the Louisville University, and eight years in the medical school to Woodstock, Vermont.

He was a constant contributor to our standard medical journals, and his published books and pamphlets both professional and miscellaneous are numerous. It seems impossible that one man could accomplish in so short a life more than what has been ascribed to Dr. Bartlett, yet he added another to his graces—that of poetry.

Our late beloved poet, Dr. Oliver W. Holmes, who was a lifelong and intimate friend of Dr. Bartlett, has permitted us for a moment to catch something of the beauty of Dr. Bartlett's poetic nature, as he described that little offering written during the last year of his life, and entitled, "Simple Settings in Verse for Six Portraits and Pictures from Mr. Dicken's Gallery." Of that offering Dr. Holmes said: "When to the friends he had loved there came as a farewell gift, not a last effort of the learning and wisdom they had been taught to effect from him, but a little book with a few songs in it, songs with his whole heart in them, they knew that his hour was come, and their tears fell fast as they read the loving thoughts

that he had clothed in words of natural beauty and melody. The cluster of evening primroses had opened, and the night was close at hand."

Perhaps no physician who ever lived in this city, attained so wide a reputation as a medical writer *alone* both in this city and abroad as did Dr. Nathan Allen. The great interest he always manifested in educational matters is deserving of special notice. He was one of a family of eminent literary men, and he himself being a thoroughly educated man, he believed that education was an important factor in bringing about moral reforms and in perpetuating the highest type of American liberty.

Dr. Allen was not a man who could allow his pen to lie idle. His memory which was uncommonly tenacious, enabled him to remember what he had read, and his mind was well stored with valuable information which he was able to utilize to the best advantage, and thus he could write intelligently upon any subject. Not being an orator, he chose the channels of the press as the avenue by which he might reach men's minds and hearts. It may, with special propriety, be said of him, he felt that "he was in the world to do something and thought he must."

His publications were numerous, most of them being articles which could be published within the restricted columns of the newspapers. There were, however, a large number which were issued by the standard popular monthly journals—both medical and miscellaneous of this and other countries, the nature of his communications attracting widespread attention and review by the leading writers of his time.

It was my own good fortune to be closely associated with the subject of this sketch for over twelve years and I know whereof I speak. I can scarcely recall the time when he did not have a paper in process of preparation, and his note-book was always crowded with "minutes" for future essays. His subjects covered a wide field of investigations, papers on medical and sanitary subjects taking the lead. Fortunately only a few months before his death, he collected

and published in a book of some three hundred and fifty pages, about forty of his best and most popular articles, thereby making them available for future reference and study.

For over thirty years he was a member of the Board of Trustees of Amherst College, and during that time he wrought a change in the physical development of the students of that institution which attracted the attention and won the admiration of thoughtful men throughout this country and in Europe. Dr. Allen was far ahead of his time and succeeding years will witness the fulfillment of many of his prophecies.

Other names appear before me of those who have attained distinction, both as medical instructors and writers in the several departments in which they rank as specialists. Among these may be mentioned Drs. Abner H. Brown, Gilman Kimball, Walter Burnham, and Charles A. Savory, Also Drs. Hiram Parker and Daniel Holt were both something of literary geniuses and wrote largely on medical and miscellaneous subjects.

Many of my medical associates of the present time are doing grand work in compiling statistical and hospital reports, and in medical, historical and biographical research.

This literary compendium would be incomplete, did we not mention the great amount of labor and of good that has been accomplished by the members of the profession who have served upon the School Boards of our city. Special mention should be made of the late venerable Dr. John O. Green who was the efficient chairman of the board for so many years.

It is of interest to recall the fact that during the sixty-three years of our municipal existence, more than thirty of the physicians of Lowell have served upon our school board.

Second—As *politicians*, physicians as a rule are not generally noted for their active participation in politics, yet the few instances where some of them have served in that capacity, prove exception to the rule.

It is an honor to the medical profession of our city, that one from her ranks was first chosen to fill the position of

Mayor of Lowell — Dr. Elisha Bartlett. There could be but one first Mayor in our municipal history, and it was a mark of special distinction that this responsibility should have been bestowed upon Dr. Bartlett when only thirty-two years of age. He was not a politician in the usual acceptance of the term, and the duties of his official position were not altogether congenial to his studious habits and literary pursuits. But having been elected by a respectable majority to fill the office of chief magistrate of the city, he felt the responsibility to be a sacred trust, and taking his place at the helm, he ably and judiciously guided the new enterprise out into the untried waters of municipal government, and, after two years of wise administration, gave the keeping of that trust into other hands.

On only one other occasion has our profession been thus honored. But in this instance the record reads like a story of the myths, so striking is its history. I refer to Dr. Elisha Huntington who was destined to fill a place in the early history of Lowell, that even the most sanquine admirer could not anticipate. I can, perhaps, in no better way illustrate the popularity of this remarkable man, than by quoting an extract from a paper written on his life, prepared by myself for the Old Residents' Association, and is here given without change.

"He was three time elected an Alderman, and in 1839, during his second year as President of the Common Council, he was elected to fill the office of Mayor, made vacant by the death of Hon. Luther Lawrence, only a few weeks after entering upon his second term of office. He was re-elected to fill that office in 1840, 1841, 1844, 1845, 1852, 1856, and 1858. A period of eight years, which is more than twice as long as held by any other incumbent. With these facts before us, and knowing that on several occasions he positively declined a renomination, what must be the verdict in respect to the position which he held in minds and hearts of the people of Lowell? Can it be other than that of unlimited confidence and respect? A confidence and respect that early in his municipal career won for him the entire support of our citizens and were a passport to

his re-election, until the word re-election well nigh lost its significance so often was it used in connection with him."

It would be of more than special interest did time permit, to study the essential elements of his success, but we can only add, that he felt the responsibility and dignity of the office, and to repeat what he said on one occasion: "I can not fail to consider the matter in all seriousness, and to feel that a great duty is laid upon me—a duty that I am to discharge without fear or favor, and with perfect impartiality towards every member of the community." During his long period of service as mayor his deportment was correct, his judgment sound, and the success of his administration universally admitted.

During our municipal history the following physicians have served on the Board of Aldermen: Drs. Elisha Huntington, John O. Green, Harlan Pillsbury, John W. Graves, John C. Dalton, David Dana, Jeremiah P. Jewett, George E. Pinkham, Francis C. Plunkett, and Stephen J. Johnson. Also, nine of our physicians have served in the Common Council.

In other branches of municipal and state government, and in the so-called "primaries," several of our physicans have been conspicuous.

In 1852, Dr. Huntington was chosen Lieutenant Governor of the state, on the Whig ticket with Governor Clifford. Dr. Walter Burnham served two terms in the General Court. While a member of the Legislature he presented to that body a bill known as the "Anatomy Act," which was passed, and is now a statute law of Massachusetts. Dr. Joseph H. Smith, during his residence in New Hampshire, represented his town in the legislature. In 1848, he was chosen one of the Presidential Electors. He also served in the Governor's Council, and was in the State Senate two years. Dr. William M. Hoar was a prominent local politician, serving as Chairman of the Democratic City Committee for several years, and also served one term in the State Legislature. Other instances of the labors of our medical men in this direction might be given both with profit and inspiration.

Third — As *surgeons.* In the domain of surgery Lowell has been exceptionally fortunate in having among its medical fraternity, some of the most successful and skillful operators that this country has ever produced. In this special department the names of Drs. Burnham and Kimball stand prominent.

They were both pioneers in the practice of ovariatomy in America, when this branch of operative surgery was denounced by the profession, medical schools, and societies, to say nothing of the bitter approbrium of the people who looked upon the operation as little short of murder. The operations performed by these two surgeons cover every known operation (both capital and general) that was known in their day. Associated with them and also succeeding them the following named surgeons, some of whom are now living, have also distinguished themselves in this operation and in special abdominal surgery. Their names are Drs. Charles A. Savory, Lorenzo S. Fox, John C. Irish, J. Arthur Gage, and G. Forrest Martin.

In operative surgery of the eye and ear, special reference should be made to Drs. Savory, Parker, R. J. Meigs, and Geo. H. A. Leahey. While in the so-called general surgery, Drs. John H. Gilman. Daniel P. Gage, Francis C. Plunkett, (all deceased), Robert E. Bell, Joe V. Meigs, T. B. Smith, C. A. Viles, W. B. Jackson, W. P. Lawler, and Chas. E. Simpson (all now living), are more or less active in this department, either as members of our hospital staffs, or in the general work of private practice.

Fourth and last — As *physicians.* It is impossible in this connection to individualize, as the names of one and another of our local physicians will occur to our readers, who, in the capacity of family physicians, have devoted their lives in relieving human suffering, and have won the tribute of gratitude from the popular heart.

One, who in speaking of the sacred relations of the medical profession in our hearts and homes, has aptly said: "There is no class more highly honored. People stand up for the family doctor as they do their own clergyman, and there is much more of personal preference. There is

no greater insult than to speak slightingly of the skill of the man who has faithfully attended the sick-bed of a loved one, and perhaps brought him or her back from the portals of the dark kingdom to life and light. The doctor knows the troubles as well as the sickness of the families he visits. But there is one drawback to the profession. As soon as the doctor is dead he is forgotten by all except those who knew him personally. His beneficent deeds are exceedingly comforting at the time, but they are not such as to make display. He works in secret, but the reward does not come openly in this world.

In closing we would say, may the future of the medical profession of Lowell prove worthy of its grand traditions, and may we all prove worthy of the splendid tribute paid to our craft by the honored Dr. Bowditch, who said:

"The profession of medicine is man's noblest work, and the physician is God's vice-regent upon earth."

THE PUBLIC LIBRARY.

FREDERICK A. CHASE.

The City Library of Lowell was established in 1844. The first library room was in the first floor of the City Hall Building, and there the library remained until 1872 when it was removed to the business building known as Hosford Block. The library was made free in 1883. In 1888 an act was passed incorporating the Board of Trustees. By this act the government of the library is vested in the mayor, ex-officio, and a board of five trustees appointed by him and confirmed by the aldermen, one being appointed each year to serve for the term of five years.

The original five trustees appointed by Mayor Palmer in December, 1888, were as follows:

Hon. George F. Richardson, Frank P. Putnam, Thomas Walsh, Stephen J. Johnson, Larkin T. Trull.

All of the above with the exception of Mr. Trull are still in office. Mr. Philip J. Farley is now the fifth member of the board. The present librarian, Mr. Frederick A. Chase, was appointed July 1, 1891. In May, 1893, the library was moved to the new Memorial Building, which was begun by the city in 1890, where handsome quarters had been provided for it. Since this time there has been a great increase in the use of the library and reading rooms.

As the library is absolutely free to all it is necessary to maintain a general library, at the same time it is the earnest desire of the management to aid in the industrial progress of the city and to especially cater to the different manufacturing industries and occupations which are followed here. It is admitted that the future of Lowell's industries depends on their ability to produce high class goods. To do this

Lowell must have skilled workmen. Manual training, alone, may produce a good workman, but unless there is a trained brain behind the trained muscles, one will never become a master in his trade. Here is where the use of books comes in. In them will be found recorded the experiments and experience of the past and much useless labor may be saved by becoming familiar with what has already been tried. In the Patent room may be found all of the reports, specifications, and drawings of the patent office. The library has published a list of all its books relating to chemistry, chemical technology, and manufactures which can be obtained at the delivery desk. Much information can be found in the technical papers and trade journals which will enable the mechanic to see wherein work may be improved or difficulties overcome.

The following are currently received at the Reading room:

American Architect
American Engineer
American Machinist
Cabinet Maker
Carpentry & Building
Chemical Society Abstracts and Transactions
Chemical News
Decorator and Furnisher
Dyer and Calico Printer
Electrical Review
Electrical World
Engineering News
Engineering Record
Engineering and Mining Record
Fibre and Fabric
Industrial Review and Textile Reporter
Journal of the Society of Chemical Industry
Journal of the Society of Dyers and Colorists
Journal of the Knights of Labor
Manufacturer's Record
Metal Worker
National Builder
Science
Scientific American
Scientific American Supplement
Scientific American, Building edition
Textile Colorist
Textile Manufacturer
Textile Manufacturer's Journal
Textile World

It being the desire of the Trustees to make the department of useful arts in the library especially strong they will welcome any recommendations for new books and give them careful attention.

The Librarian and his assistants are ready at all times to assist persons in the investigation of special subjects by indicating the sources of information as far as the library

PUBLIC LIBRARY — MEMORIAL BUILDING.

contains them. Do not be afraid to ask questions. If an answer is not to be found you will at least have disclosed some lack in the library which the management will be glad to know of, and oftentimes the best source of information is readily available if one is shown where to look for it.

Much attention has been paid at the library to the preparation of lists of books on special subjects. These lists are available for general use in the Reference room of the library. It is from these lists that the library bulletin has been published. The main catalogue is the card catalogue in the Catalogue room. By this the books in the library are kept catalogued to date both under the author's name and under the subject. For explanations regarding this or any of the cataloguing helps or for any assistance in regard to special subjects the public is cordially invited to apply to the Librarian or to any of the library staff. The 60,000 volumes which the library contains should be regarded as useful tools for the benefit of all and not as luxuries to be enjoyed only by the few.

THE HISTORY OF COTTON MANUFACTURING IN LOWELL.

E. W. THOMAS.

Nearing the approach of the fourth quarter century of cotton manufacturing in Lowell, and having entered the second century of manufacturing in the United States, it is well to glance retrospectively over the past, and trace, as best may be, the growth and development of this important industry in our midst. At the outset, it must be stated that, owing to the limited space allowed, the history and statement of facts to be considered hereafter must necessarily be condensed.

The large area of farming land, now occupied by our city proper, presented to the incorporators of the textile industry in the earlier years but one inducement for them to locate here, and build the mills they afterward did. That inducement was the fact that surrounding this farm land on three sides were the Concord and Merrimack Rivers, and practically, on the fourth side the old Middlesex Canal.

The water power of those early days had been but little utilized, except for small woolen, saw and grist mills, and one of the first efforts to harness power from running streams in any large degree was at Waltham, of this state, in about 1813. At Waltham, some merchants of Boston had built a mill, complete in itself, so far as having all the operations of carding, spinning, and weaving were concerned, and one that was successful in its workings. Encouraged by their venture at Waltham, and having utilized all the power obtainable on the Charles River at that point, they proceeded to investigate the eastern portion of Massachusetts, and the

southern part of New Hampshire, in order to increase their output. The proximity of Lowell, or as it was then called "East Chelmsford," to Boston, and the fact that there seemed to be an unlimited reserve of power in the Merrimack River to amply fulfil their anticipations, led them to purchase these farm lands for mill sites, and to utilize the then existing dam at Pawtucket Falls for the purpose of obtaining power. These men, Patrick T. Jackson, Nathan Appleton, and Francis C. Lowell, who were rich in faith and in pocket as well, who had traveled extensively in foreign countries, and had seen the benefits of power machinery in use, laid the foundation of what afterward proved to be the largest congregation of cotton mills in any one location in the United States. There was at this time only water power to depend on for large amounts of power. Steam as a motive power, and engines as motors, had not reached a point where they could be used in point of economy, and in consequence, mill sites, with water power adjacent, were eagerly sought for. The development of the water power in this city presents an interesting history, and will be briefly recalled.

Water Power.

As long ago as 1792, the proprietors of the "Locks & Canals on the Merrimack River" were incorporated as a body, primarily for purposes of navigation and bringing the products of the sections of the country above us on the river, down to the sea shore. The first canal built was from a point on the Merrimack River, near the present Vesper Boat House, and followed the course of the present canal, across Broadway and parallel to Middlesex Street, entering the large basin near the Lowell Machine Shop, and continuing down to the Middlesex Yard, and emptied into the Concord River. There were locks near Broadway, at Lowell Machine Shop Yard, and at the Middlesex Yard. The masonry of these old locks may be seen at these points at the present day. The first canal built by the projectors of the cotton mills here, after purchasing the rights and privileges of the original proprietors of the Locks and

HAMILTON, APPLETON AND LOWELL MANUFACTURING COMPANIES (FROM TOWER OF CITY HALL).

Canals, was from the basin near the Railroad bridge (near Dutton and Fletcher Streets) down Dutton Street, under Huntington Hall Building, to the Merrimack Manufacturing Company. This canal is about 2580 feet long, and was built in 1823; it was the first one of the various canals built for manufacturing purposes. Three years later, 1826, a canal was built from the basin, or swamp locks, as it was called, extending down the side of Jackson Street, fronting the Appleton and Hamilton Companies, and is about one-third of a mile in length. In 1828 a short canal was opened up from the Merrimack canal on Dutton Street, and run into the Carpet Company's Yard. In 1831 another canal was built, opening from the swamp locks, extending across Dutton Street, and passing near the present location of the Kitson Machine Shop, following down the side of Suffolk Street to Dodge Street, then continuing farther down Suffolk Street to the present location of the Lawrence Manufacturing Company. In the year 1846 the great canal, or as it is now known the "Northern Canal" was commenced. This is the canal now starting at Pawtucket Falls, running parallel for a way with the river and ending at Suffolk Street, where it forms a supply for the Suffolk Street Canal. When this canal, and the subway canal, running under Moody Street from Hanover Street to Dutton Street, were completed in 1851-2, the present canals in Lowell had practically been established, and up to this time (1851) all the water, supplying the various canals, came through the old Pawtucket Canal, built in 1798. From 1851, and on, the supply was also taken through the Northern Canal, the meeting of the currents, and supply, being at the swamp locks, or basin near the Lowell Machine Shop, previously referred to.

From the time of the building of the canal for the Merrimack Manufacturing Company, in 1823, the village commenced to grow rapidly; the opening of the mills, and the amount of improvements in operation, calling for many young men and women from surrounding towns and villages. Mill sites were laid out, and the hopes and aspirations of the projectors were being realized. Public interest was centered here, and mills were built quite rapidly. Later, the original

Merrimack Manufacturing Co., who had bought up the stock of the Locks and Canals Company, and who owned a large section of land, reconveyed to the Locks and Canals Co., such rights, privileges, lands and mill sights they did not desire for their own purposes, and then the Locks and Canals Company commenced building mills and machinery, being the original proprietors of the Lowell Machine Shop.

In the early days the net work of canals built, and the development of such a large amouut of water power, gave to Lowell a world wide reputation, and engineers and scientists from all over this and other countries visited the city for the purpose of investigating these developments. The development of this vast power, and the engineering talent employed thereon was by the following gentlemen, eminent in their profession throughout the world:—

Paul Moody from 1824 to 1834.
Geo. W. Whistler from 1834 to 1837.
Jas. B. Francis from 1837 to 1892.

Few of us can fully appreciate, as we glance into these great canals and see the water gliding speedily by, that in such body of water is the possibility of turning many water wheels, thereby running the machinery of our mills, and giving employment to the many operatives therein. It is a well known fact, however, that the value is not put on water power at the present day as in the earlier days. The very rapid advance made in the art of economically using steam, and its various other advantages have outstripped the water power element; so that to-day, the location of a textile industry does not necessarily need to be located on a mill site adjacent to water power. Our sister cities, New Bedford and Fall River, are notable examples of this fact, as well as other towns and cities in this and other states.

The water power machinery, that is the old water wheels, were the old breast wheels, long since out of existence. They were heavy, slow running wheels, surmounted on each end generally with a gear on outside the periphery of the wheel, which drove a jack gear on one of the main lines of shafting. The diameter of these wheels are given as

below: Those on the Merrimack were 30 feet in diameter; at the Hamilton, Appleton, Suffolk, and Tremont 13 feet in diameter; at the Lawrence 17 feet in diameter. These wheels were placed in basement, and near centre of mill, one wheel in each mill.

The shafting of the early days was generally of cast iron, square in many instances except at bearings, between the bearings being lagged up with wood and turned cylindrical, of a diameter the proper size to drive the machinery at required speed. The shafting on upper floors were driven oftentimes by a large, upright shaft, extending the height of the mill, and having bevel gears on each floor to gear on to the main lines.

Incorporation of Companies.

The Merrimack Manufacturing Company was the first of the incorporated companies, it having been organized in 1822, the first Treasurer being Kirk Boott, first Superintendent Ezra Worthen, its original capital being $600,000. Following, two years later, the Hamilton Manufacturing Company was incorporated; William Appleton was its first Treasurer, and Samuel Batchelder, the foremost manufacturer of those days, its first Superintendent. The Appleton Company incorporated in 1828, its first Treasurer being William Appleton, and John Avery its first Superintendent. The Suffolk Manufacturing Company and the Tremont Mills were incorporated as independent companies in 1831, J. W. Boott being first Treasurer, and Robert Means the first Agent of the Suffolk Company, while Wm. Appleton was the first Treasurer, and Israel Whitney the first Agent of Tremont Mills. In 1871 these two concerns consolidated under the management of the late Dr. J. C. Ayer as Treasurer, and Thos. S. Shaw as Agent. The Lawrence Manufacturing Company was also incorporated in 1831, William Appleton being the first Treasurer, and William Austin the first Agent. The Boott Cotton Mills were incorporated in 1835, John Amory Lowell being the first Treasurer, and Benj. F. French the first agent. The Massachusetts Cotton Mills were incorporated in 1839,

John Amory Lowell being first Treasurer and Homer Bartlett the first Agent. The Prescott Mills were purchased by the foregoing company in 1847. This completes the list of the large cotton mills, and shows the great progress made between the years 1822 and 1839, a period of 17 years.

Stepping beyond for a moment from the large cotton mill plants, and considering the other plants incorporated and

TREMONT AND SUFFOLK MILLS.

put in operation during this period, we find the Lowell Manufacturing Company, (commonly known among us as the "Carpet Co."), incorporated in 1828, with Fred Cabot as first Treasurer and Alexander Wright the first Superintendent. The Middlesex Company incorporated in 1830, with W. W. Stone as the first Treasurer, and James Cook its first Agent. Lowell Bleachery in 1833, with

John Clark as Treasurer and Jonathan Derby as Agent. Somewhat later the Lowell Machine Shop was incorporated, about 1845, although it had been in operation for some years previous as the building shop of the Locks and Canals Company. J. Thomas Stevenson was its first Treasurer, and the late William A. Burke its first Superintendent.

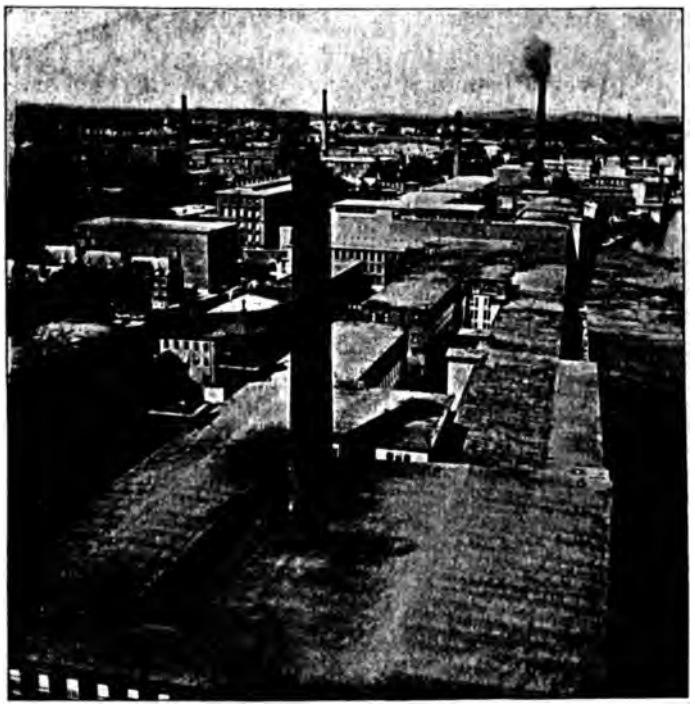
It may be readily conceived that during this period of building and putting into operation all these plants, great opportunities were offered the young of the surrounding towns and villages to obtain employment, leaving their homes and farm life.

Mill Buildings.

It has been often asked by some of the younger of our people what the old original mills looked like. Our progenitors in mill buildings were very conservative, and when the mill buildings at Waltham were constructed all the engineering and architectural capacity seemed to have been exhausted, for the first mills built in this city were practically duplicates of each other, and to some degree like the original one at Waltham, being constructed 150 or 160 feet long and 44 to 46 feet in width, four or five stories in height, pitched, slated roofs, many of the roofs having a running dormer window, sample of which may be seen at present on one of the mills in the Hamilton Yard. The mills were very low studded, and had very small windows.

The only building now in existence, which is known to retain practically all its original features, is the old No. 5 Picker building, now in the Lawrence Section of the Tremont and Suffolk Mills' Yard. The weaving was generally in two lower floors, carding and spinning above, and the warping and dressing in the attic. Some of our present operatives undoubtedly remember these old attics, redolent with the odor of sour starch, and also remember the advantage these attics had, to be used at times as bowling alleys, and for playing hide and seek. The dimly lighted mills, the low ceilings, the disadvantages of working in winter season by oil lamps, and in rooms heated with

stoves or warm water pipes, present to us to-day some of the burdens our predecessors bore. The mills, generally, in any mill yard, were placed in line with each other with space between ends, and many of them were numbered. exactly as those built upon their sites later are numbered. It was not until 1860, or thereabouts, much had been done to improve the buildings. The first modern mill of that date to be erected was in 1862, by the Tremont Mills,



BOOTT, MERRIMACK, LAWRENCE, TREMONT & SUFFOLK MILLS.
(FROM MASSACHUSETTS MILLS.)

when a mill was built 440 feet long and 72 feet wide, and was considered then to be the greatest mill building on earth. Later many additions were made in different mill yards, connecting the ends of mills, pitched roofs were substituted by flat roofs, mills were made wider by removing one side wall and rebuilding it, the small type windows replaced by larger ones at same time the height of floors

were oftentimes increased. A vast amount of money was expended in remodelling mills from 1865 on, and in many cases was not as judicially spent as though the old structures had beed completely razed, and new, modern mills built upon their sites.

To-day it is not an unusual thing to see a modern mill 500 or 600 feet long, 100 to 125 feet in width, and even more; showing that another evolution has been going on in mill building within the past 25 or 30 years, brought about by the experiences of our manufacturers and the desire to concentrate machinery in large masses rather than to distribute in many small rooms. Our modern mill buildings of to-day are the results of the best efforts of engineers and builders, and sanitary conditions, heat, light, and plenty of fresh air being carefully considered.

The old, original mill buildings were bulwarks of strength, as many of us know, who may have had experience in removing them, and it may be said that in the constructions of dams, canals, and buildings, the builders of the originals did their work thoroughly and well. There are subterranean passages, wheelpits and foundations unknown, except to those who are associated with them, costing hundreds of thousands of dollars, that have stood the ravages of time, and are likely to outlive future centuries, unless otherwise removed.

Machinery.

The machinery used in the cotton mills of the early days was of very crude design. The picking machinery was of the most simple construction, slow running, and the chief element was the whipping of the cotton by long wooden arms, in order to remove the sand and leaf; it was then formed into a very soft lap. The Carding machinery was of most primitive design, in many cases the cylinders were but 30 inch wide, and they had a small doffer about 12 inch diameter and but 12 or 13 tops. The doffer stood high, and the sliver was run into a can. These cans were put up back of a drawing frame. The roving machinery was simple. The roving was wound upon

spools, with a head on each end, and wound very soft. The spinning was the old throstle pattern, with either live or dead spindles, and small flyers were used. The dressing was done upon frames, there being eight warper beams running into one beam in the centre of the machine, hence the old term of "centre beam" for the loom beam. There was considerable skill used in the dressing department, and the labor on a dressing frame was considered

HAMILTON MILLS.

as irksome as any in the mill. The looms were of the simplest character, much of the machinery was built with wooden framing, of ash generally.

Looking backward, it hardly seems possible to us to conceive that cloth could be made that would be uniform, and of a merchantable character. Be that as it may, it was of so great a change from the handspun and woven

cloths that its cheapness and quality appealed to the people to such degree, that, soon after the establishment of the Merrimack Company's Mills, not much time was lost in increasing the number of plants in its vicinity, to be followed but a few years later with the building of plants farther inland, and at points where good water power was available. Soon as the mills were being successfully operated, improvements were made on the machinery, and men like Moody, Crane, Burke, and Wellman give their best efforts in this direction, followed later by Kitson, Richardson, Hildreth, and others. The Lowell Machine Shop, through its managers, foremen, and workmen, was for years the great shop from which textile machinery was being continually improved. As has been stated, the earlier mills were practically of one size, and the contents of each, so far as machinery was concerned, were substantially alike, varying some according to the goods to be woven.

The contents of two separate mills are given below, one on the Boott Corporation, the other on the Suffolk, as running in 1838, viz:

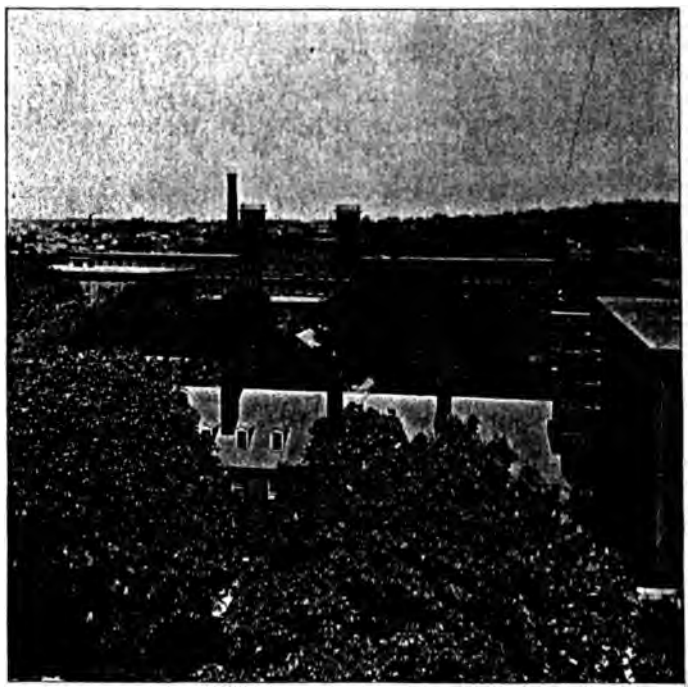
	Boott.	Suffolk.		Boott.	Suffolk.
Pickers	2	2	Spinning Spindles	6,144	5,888
Willows	2	2	Warpers	8	8
Cards	56	56	Dressers	12	10
Drawing Deliveries	64	48	Looms	176	176
Speeder Spindles	108	96	No. Employees	232	271
Stretcher Spindles	360	360			

Comparing these mills with the present ones, as now existing in the city, or with the modern mills more recently built elsewhere, and the latter show the great evolution in the line of large plants and large concentration of machinery.

We think nothing now of building mills to contain under one roof 100,000 spindles, and the necessary machinery to go with them. Such mills are being built to-day in Gastonia and Columbia, South Carolina, and these show the vast progress that is at present existing in the Southern States.

Mill Managers.

During the life of our mill companies, those at the head of the local management have been men of character and standing. Of late years, the natural requirement of the mill manager has been somewhat different from that of our earlier managers. For many years the mill agent was generally a professional man, lawyer, or physician, and for



MASSACHUSETTS MILLS.

some period after in many cases, upon vacancies occurring, the paymasters were promoted, and only within recent years has the custom arisen wherein the superintendent was advanced to agent's position. To-day, the mill agents are practical men, having had experience in a more or less degree in the mill or shop. The superintendents are also practical men, promoted from the ranks.

Referring briefly to the earlier management, we find at the Merrimack Company, there have been 10 agents, or superintendents, in a period of 78 years.

The Hamilton Company has had but three agents in a period of 75 years, a most remarkable record.

The Appleton Company has had seven agents in a period of 72 years.

The Tremont Mills has had five agents in a period of 40 years.

The Suffolk Mills has had three agents in a period of 40 years, and the consolidated Tremont and Suflolk mills two agents in 29 years.

The Lawrence Manufacturing Company had seven agents in a period of 60 years.

The Boott Cotton Mills had six agents in a period of 64 years.

The Massachusetts Cotton Mills had four agents in a period of 60 years.

Of the foregoing, those serving the longest periods were John Clarke, who served the Merrimack Company about 15 years, John Avery, who served the Merrimack Company about 33 years, and O. H. Moulton, the present agent at the Hamilton Company, who has served in that capacity for 36 years.

Geo. Motley served the Appleton Company 36 years.

John Wright served the Suffolk Mills 26 years.

Chas. L. Tilden served the Tremont Mills 21 years.

Daniel Hussey served the Lawrence Company 19 years.

Alexander G. Cumnock served the Boott Mills 30 years.

Frank F. Battles served the Massachusetts Mills 33 years, showing that changes in mill management were not frequent.

Two of the foregoing gentlemen, now living in Lowell, after serving for years as agents, later became treasurers. These are Messrs. George Motley and Alexander G. Cumnock.

Mr. J. H. Sawyer, at one time agent of the Appleton Manufacturing Company, later became treasurer of the Chicopee Company and the Newmarket Manufacturing Company.

Daniel Hussey, agent of the Lawrence Manufacturing Company, became treasurer of the Great Falls Company.

William A. Burke of the Boott became treasurer of the Lowell Machine Shop and Tremont and Suffolk Mills.

During the 78 years of manufacturing in this city, we have had at the head of the mills some of the most efficient manufacturers and managers in this country. Some have served as Presidents of the largest association of Cotton Manufacturers in the world.

Samuel Batchelder, at one time Agent of the Hamilton Company, was for his time the most influential manufacturer. In latter years, the names of Hussey, Burke, Kilburn and Cumnock have stood high and are well-known locally.

Many of the superintendents and assistants have left our mills here to accept positions of trust and management in other cities, and Lowell to-day is in a measure, a centre from which our operatives, from low to high positions, are continually being called on to occupy higher and more responsible positions. It is safe to say to-day that no position in the mill is too high for the honest, patient, and intelligent workman.

Work People.

It would not be fitting to utterly ignore the employee, who has done his or her share toward making these mills their homes and a success. It has been stated, and it is truth as well, that from the starting of our mills up to the present day, no city in the United States can show as good a record for morality and self education of its work people. From the inception, and all along down through the years, the religious care and the excellent educational advantages given to the parents and children have had its marked effect. Father Edson, whom all revered, made it in his early days almost the ambition of his life to uplift, advise, and instruct. Not alone in this work, but with the hearty co-operation of other churches and denominations, particularly that of St. Patrick's Parish, the people were carefully looked after.

The character of the employees has also undergone an evolution within the past 75 years. The employees generally, for the first 25 or 30 years, were mostly of native stock and birth. As demands were made for more employees, emigration from Ireland commenced, and for a period of years, large numbers of the hardy stock of Old Ireland came to our city, and, by their thrift and attention to business, became successful in the pursuits followed by their earlier labors. For many years the people from New England country homes, and those from Ireland, worked harmoniously side by side. Later, farther demands for help were met by the coming from Canada and Northern New York of our French Canadian friends. Later, and within a few years, our list of employees has been largely augmented by the workers from the shores of the Mediterranean.

Such has been the feeling for years between employers and employees in this city that labor troubles have always been at a minimum, and most cordial relations have existed between them.

Health of Operatives.

Records of the earlier years show a remarkable freedom from illness of the operatives.

Dr. Bartlett, the first Mayor of Lowell, was appointed upon a commission to look into the matter of the health of the operatives. After a thorough investigation, he found that the death rate was less among them than among those living in country places, and the principal reason he gave, was that while the confinement was perhaps deleterious, yet the accomodations were such, as to boarding houses, that there was less exposure to cold and storm, and, taking all conditions into account, the health of the operatives were better than that of the average farmer.

While this may have been true there can be no doubt that shorter hours, better sanitary conditions, etc., must

make a great difference in the health of the present employees, as against the health of those employed in the early years.

Boarding House System.

Beginning with the building of the mills of this city, each of the seven original companies adopted the then called Waltham

BOOTT MILLS.

system of housing their employees who had no homes. Boarding houses were built of a substantial character; tenement blocks, and cottages also, on land adjacent to the various mill yards. These buildings have been and are to-day as familiar to us as the mills themselves.

The influence of the boarding house system has been always an element of great good, in regard to the morality and benefit of the employees. They were under the

general control of the managers of the various mills, and the keepers were obliged to give the best of references before being permitted to carry them on. Rules and regulations were made and carried out providing for the welfare and comfort of the tenants. The rooms were kept neat and clean, and the price for boarding was fixed at a uniform rate all over the city.

It may, however, be said that, within a few years, the rapid building of tenement houses and flats, and the disposition of unmarried employees to avail themselves of perhaps better accommodations than the corporation boarding houses afforded, has led them to move out into other quarters, but for a great many years, as stated before, the boarding house was the home of the majority of the unmarried, and in many cases of married employees.

Within the past year, or more, we have seen a marked change, resulting in some of the mills disposing of their outside tenement property. Various reasons have led to this. In most cases, however, the buildings were situated on land made valuable by the continued increase in value of adjacent business property, and perhaps more to the fact that so few of the boarders were employees of the mills.

These boarding house blocks have had an eventful history, and a national reputation. The one belonging to the Merrimack Company, located on the "front row," has been visited by people from all over the world, some of the visitors being royalty itself, and others occupying some of the highest positions in the gifts of this country.

Hours of Labor.

To illustrate the progress made in the curtailment of the hours of labor, I give the following as the running time table of the Lowell mills in the "good old days:"

Begin work: May 1st to Aug. 31st, 5 o'clock; Sept. 1st to April 30th, as soon as could see without artificial light.

Breakfast: Nov. 1st to Feb. 28th, before going to work; March 1st to March 31st, at 7.30 o'clock; April 1st to Sept. 19th, at 7 o'clock; Sept. 20th to Oct. 31st, at 7.30 o'clock.

Dinner: Through the year at 12.30 o'clock. Time, 45 minutes.

Stop work. May 1st to Aug. 31st, at seven o'clock; Sept. 1st to Sept. 19th, at dark; Sept. 20th to March 31st, at dark.

The following table shows the hours per day for the various months the mills were in operation in year 1838, viz:—

January and December	11	hours	and	24	minutes.
November	11	"	"	56	"
March	11	"	"	52	"
February	12	"			
October	12	"	"	10	"
September	12	"	"	23	"
May, June, July, Aug	12	"	"	45	"
April	13	"	"	30	"

Lamps were not lighted on Saturday evenings.

Comparing the foregoing with the present existing hours per week (58), with the opportunities of utilizing the spare hours for recreation, self culture, etc., we realize the benefits given by the shorter time.

Goods Manufactured.

The two oldest companies in Lowell, viz: the Merrimack Manufacturing Company and the Hamilton Company from almost their earliest running, owing to their having connected with their mills printing plants, made as at the present time, print cloths; the Merrimack Company also making sheetings, and the Hamilton Company drillings. In 1835 the balance of the mills in Lowell were running either on sheetings or drills, and in some cases on both. The Boott started up on drillings and fine sheetings. The Hamilton started about 1841 on cotton flannels, for which, all through the succeeding years, they have enjoyed an unrivalled reputation. The Massachusetts Mills started upon drills, and they too have earned a world wide reputation on these goods.

It may be said that until 1865, practically all our mills were run upon the goods they started on and were constructed for. To-day, the variety of goods made by these

same companies embrace nearly all kinds in the domestic lines and many specials. The Merrimack Manufacturing Company is to-day producing fine yarns, fancy woven cloths, corduroy and plushes, besides a vast amount of print cloths. The Hamilton Company is producing cotton flannels, skirtings, tickings, and print cloths. The Appleton Company, since its re-organization, is producing hosiery yarns, colored, fancy and French flannels, and a variety such as it had not

DOHERTY BROTHERS' FOUNDRY.

dreamed of a few years ago. The Lawrence Manufacturing Company of to-day is confined strictly to knit goods in great variety, and hosiery yarns. The Tremont and Suffolk Mills are making all grades of cotton flannels and cotton blankets. The Boott Mills are producing finer goods than ever before, and are presenting to the market effects in linens for dress purposes. The Massachusetts Mills, besides many of the standard cloths which they have made for years, are making

large quantities of denims and cotton flannels. The production to-day of our various mills presents a vast contrast to the production of 50 years ago, in many ways. First, the large increase in the kinds of cloths; second, the superior qualities now made; third, the introduction of other varieties of marketable products. Colored goods, hosiery yarns, and knit goods are some of the features not attempted until after the close of the Civil War. It has been often stated, and it is a fact, that but very few people of our city have any knowledge of the large variety and value of the different productions of the mills located here. No attempt of collecting samples of these goods has been made for years; the last collection made for exhibit purposes was at a fair held by the former Middlesex Mechanics' Association, on Middle Street, several years ago.

We must not forget, however, to mention in this line a few of the other textile interests existing in the city, whose combined output is no insignificant amount.

The United States and New England Bunting Companies, Belvidere, Sterling, Stevens, and the woolen mills of the American Woolen Company. The Lowell, Shaw, Criterion, and Pickering knitting and hosiery mills; the proposed new mill of the Hooper Knitting Company; the various suspender factories, the Mohair Plush Company, and many other concerns too numerous to mention. Incidental to these are the various Belt, Card Clothing, Cop Tube, Shuttle, Harness, Spool and Bobbin shops, and various other enterprises which furnish fittings, supplies, and equipments to the various textile mills. The Lowell Machine Shop, Kitson Machine Company, T. C. Entwistle, W. W. Carey, and other machine shops. The Middlesex Mills and the Lowell Carpet Company are so well known to you as to require no more words. It is a matter of surprise to many that for years no movement has been made to advertise our productions, so our fame as producers may not be better known. We, as citizens of Lowell, are very unwise in not making some attempt to show up, not only to the people of this city, county, and state, but also to the whole nation, just what is being done in our midst. We are too dormant in the matter. Cities and towns all over

the South and West are advertising their advantages in location for manufacturers and their products, and from their continuing to do so, evidently realize some benefits.

If the effort was made in good faith, an exhibition could be held here in Lowell which would bring out facts and information, and put life and energy into those who are desirous to see our city prosper and grow. The first 17 years (from 1823 to 1840), there was more life and business energy shown in Lowell than has been in all the years since. Question yourselves, as you are about entering the closing of the nineteenth century, what Lowell is likely to be at the end of the twentieth century, unless more and larger business interests are to be incorporated and fostered. Our large mills have grown to a size, in many cases, that is limited to the boundary lines which they own. New and large industries should be invited here, treated kindly, and extended a helping hand. The towns and cities which capture the new mills, shops, and factories are the ones that are able to show a good record for just treatment to those industries within their borders, and show a disposition to co-operate heartily in everything tending to enlarge their population, buildings, and commercial relations with the outside world.

The Influence of the Industry in the City.

There can be no uncertainty as to the large corporations being a benefit to the city. The system of weekly payment is sure to keep money in constant circulation. For many years a hospital for the sick and injured has been maintained, giving to the employe the lowest possible rates, the charges being $1.75 per week for females and $2.75 per week for males; the actual cost of each inmate being over $10 per week. From the opening of the hospital in 1839 to the present day, there have been about 9000 inmates, besides which there have been many thousands of out-patients attended free of charge. The management of the mills have been chiefly instrumental in establishing the Lowell Textile School, within whose walls any operative is welcome to become a student in evening courses without expense. At the People's Club, and in our Public Library, may be found the

latest publications regarding textile interests; one of the trustees of the library being a gentleman occupying a prominent position in one of our establishments, and whose object in life has been to bring to the working people such information as he can through publications that are to be found in the library.

AMERICAN BOLT CO.

It has been said that corporations have no souls; but, to any one willing to lay aside prejudice and to accept facts, they must recognize that all through the past years the influence of these mills, with their managers, most ably assisted by the Church societies and associations, have brought Lowell through a long series of years with the reputation of being most noted for the absence of labor troubles, high

moral standing of its people, etc. It would indeed be a sad blow to the future prosperity of our city should the time ever come when it was necessary for our mill doors to be closed and this industry in our midst paralyzed.

The influence of these mills has not been confined to the borders of this city. Many a young man, now occupying positions of trust elsewhere, made his first start in our mills. Men occupying the highest positions in the gift of the voters of this city have in their earlier days been operatives in our mills. Others can be found, occupying positions of prominence all over the city in mercantile and professional lines, whose youthful days were spent in the carding or spinning room, and an intercourse for years with many of these, never brought out the fact that they were ever ashamed of it.

The Future Prospects of Manufacturing of Cotton Goods in This City.

It is noted that for many years no general increase of spindles or looms has been made in this city, except such additions as have been inaugurated by the several mills, in order to balance up inconsistencies occurring. No new mills have been built for some years by our companies, or by any other parties in this city. Noting also that in other cities of our own and adjoining states mills have been built, and are operating many more spindles and looms than formerly, the question arises why is this? In the first place, we find the controlling element, viz: water power, which influenced (between the years 1822 and 1839) the building of large plants here, has waned. The supply has all been utilized, and other predominant factors have arisen commanding other locations to be selected and adopted. These factors are mainly consideration of taxation rates, nearness to sea board traffic, centres of labor, etc. The competition of these new centres of industry in this line has had its effect. The building up so rapidly of mills in the South has also had its influence, even two of our larger mill companies of this city have, within a few years, sought locations to establish

branch mills in the Southern States, believing that certain classes of their goods can be more cheaply constructed, and also being near the source of the supply of cotton, as well as to coal fields. Not only the two concerns referred to, but also the Nashua Company, of Nashua, N. H., and the Dwight Company, of Chicopee, Mass., have built large and successfully running mills. All these facts we must not ignore, and we are brought face to face with those

NO. 1 MILL OF THE BELVIDERE WOOLEN CO.

that are important, and of considerable import. It calls to us that the existing companies of this city must, in order to maintain their existence, be treated with consideration. It is early yet for any one to say that manufacturing here has reached its declining turn, and it is hoped that such may not be the case for years to come, if ever; but, in this rapid going age, with unforseen developments springing up mushroom like, our solidity may at any time

be shaken and our future rendered unstable. The citizens of this city have much power in their hands to assist in maintaining, as far as is possible, our old time prestige, and bear in mind that this city, once called the "Manchester of America," has been fairly outstripped in the cotton enterprises of sister cities. Remembering our fair name of the past and present, let us hope and trust that these large enterprises may live long and prosper.

Closing.

A good sized volume could easily be written concerning the history of manufacturing in this city and vicinity, but limited space, as stated before, has compelled the writer to but briefly go over a period of 75 years or more of manufacturing in a general way.

We know the history of the past, and are creating the history of to-day, but the future lies before us like a blank page to make upon it impressions that cannot be effaced. The past and present reputation of our mills and shops must be maintained in the future, and it is our bounden duty to see that all influences in favor of fostering our productions in our factories should be exerted to the highest degree. We must not hesitate or falter, remembering that the cotton industry is making rapid strides in the southern sections and in our western countries, beyond the Pacific Ocean, which may prove in the future to be a formidable barrier to our continued prosperity and success.

WHAT DOES LABOR WANT?

SAMUEL GOMPERS.

A legend of ancient Rome relates that while the capitol was building, there came one day to the tyrannical king Tarquin the Proud, a poor old woman carrying nine books of the prophecies of Sibyl, which she offered to sell for three hundred pieces of gold. The king laughingly bade her go away, which she did; but after burning three of the books she returned and asked the same price for the remaining six. Again treated with scorn, she retired, burnt three more of the volumes, and then came back demanding the same sum for the three which were left. Astonished at this conduct, the king consulted his wise men, who answered him that in those nine books, six of which had been lost, were contained the fate of the city and the Roman people.

To-day the marvelous Sibyl, who grows the grain, yet goes a-hungered; who weaves the silken robes of pride, yet goes threadbare; who mines the coal and the precious ores, yet goes cold and penniless; who rears the gorgeous palaces, yet herds in noisome basements, she again appears. This old, yet ever young Sibyl, called labor, offers to modern society the fate of modern civilization. What is her demand? Modern society, the most complex organization yet evolved by the human race, is based on one simple fact, the practical separation of the capitalistic class from the great mass of the industrious.

If this separation where only that resulting from a differentiation in the functions of directions of industrial operations and their execution in detail, then that separation would be regarded as real, direct progress. But the

separation between the capitalistic class and the laboring mass is not so much a difference in industrial rank as it is a difference in social status, placing the laborers in a position involving a degradation of mind and body.

This distinction, scarcely noticeable in the United States before the previous generation, rapidly became more and more marked, increasing day by day, until at length it has widened into a veritable chasm—economic, social, and moral. On each side of this seemingly impassable chasm, we see the hostile camps of rich and poor. On one side, a class in possession of all the tools and means of labor; on the other, an immense mass begging for the opportunity to labor. In the mansion, the soft notes betokening ease and security; in the tenement, the stifled wail of drudgery and poverty. The arrogance of the rich ever mounting in proportion to the debasement of the poor.

From across the chasm we hear the old familiar drone of the priests of Mammon, called "political economists." The words of the song they sing are stolen from the vocabulary of science, but the chant itself is the old barbaric lay. It tells us that the present absolute domination of wealth is the result of material and invariable laws, and counsels the laborers, whom they regard as ignorant and misguided, to patiently submit to the natural operations of the immutable law of "supply and demand." The laborers reply: They say that the political economists never learned sufficient science to know the difference between the operation of a natural law and the law on petty larceny. The day is past when the laborers could be cajoled or humbugged by the sacred chickens of the augers, or by the bogus laws of the political economists.

The laborers know that there are few historic facts capable of more complete demonstration than those showing when and how the capitalists gained possession of the tools and opportunities of labor. They know that the capitalists gained their industrial monopoly by the infamous abuse of arbitrary power on the part of royal and federal potentates. They know that by the exercise of this arbitrary power a well established system of industry was overthrown

and absolute power was placed in the hands of selfish incompetents. They know that the only industrial qualifications possessed by these incompetents was the ability to purchase charters, giving the purchaser a monopoly of a certain trade in a specified city, and that the price of such charters, the blood money of monopoly, was such paltry sums as forty shillings paid to the king or a few dollars to congressional (mis) representatives. They know that by the unscrupulous use of such monstrously unjust privileges competent master workmen were deprived of their hard-earned rights to conduct business, and were driven into the ranks of journeymen; that the journeymen were disfranchised, and that the endowment funds for the relief and support of sick and aged members of the guilds and unions, the accumulation of generations, were confiscated. They know that thus did the capitalist class have its origin in force and fraud, shameless fraud, stooping so low in its abject meaness as to steal the Trade Union's sick, superannuated and burial funds.

The laborers well know how baseless is the claim made by the political economists that the subsequent development of the capitalist class was spontaneous and natural, for they know that the capitalists, not content with a monopoly of industry enabling them to increase the price of products at will and reduce the wages of labor to a bare substance also, procured legislation forbidding the disfranchised and plundered workmen from organizing in their own defense.

The laborers will never forget that the coalition and conspiracy laws, directed by the capitalist against the journeymen who had sublime fidelity and heroic courage to defend their natural rights to organization, punished them with slavery, torture, and death. In short, the laborers know that the capitalist class had its origin in force and fraud, that it has maintained and extended its brutal sway, more or less directly through the agency of specified legislation, most ferocious and barbarous, but always in cynical disregard of all laws save its own arbitrary will.

The first things to be recognized in a review of the capitalistic system are that the possessors of the tools and

means of labor have not used their power to organize industry so much as to organize domestic and international industrial war, and that they have not used the means in their possession to produce utilities so much as to extract profits. The production of profits, instead of the production of honest goods, being the primary and constant object of the capitalistic system. We have a waste of labor appalling in its recklessness and inhumanity, a misuse of capital that is really criminal and a social condition of cheerless drudgery and hopeless poverty, of sickening apprehension and fathomless degradation almost threatening the continuance of civilization.

The state of industrial anarchy produced by the capitalist system is first strongly illustrated in the existence of a class of wealthy social parasites; those who do no work, never did any work, and never intended to work. This class of parasites devours incomes derived from many sources; from the stunted babies employed in the mills, mines, and factories, to the lessees of the gambling hells and the profits of fashionable brothels; from the lands which the labor of others has made valuable; from royalties on coal and other minerals beneath the surface, the rent paying all cost of the houses many times over and the houses coming back to those who never paid for them. Then we have the active capitalists—those engaged in business. This number must be divided into two classes; the first consisting of those legitimately using their capital in the production of utilities and honest goods. The second, those misusing their capital in the production of "bogus" imitations of luxuries; of adulterations, and of useless goods, the miserable makeshifts specially produced for the consumption of underpaid workers. With this "bogus" class must be included not only the jerry builders and the shoddy clothiers, but also the quack doctors and the shyster lawyers, also the mass of insurance and other agents and middlemen. Coming to the laborers, we must regard them not only according to their technical divisions as agricultural, mechanical, commercial, literary and domestic, with numerous subdivisions, but also as economically divided

in three classes—those engaged in the production of utilities, those engaged in all other pursuits, and those constituting the general "reserve army" of labor.

The first economic division of laborers consisting mainly of agriculturists, mechanics producing utilities, and a very limited portion of those engaged in commerce. Upon this moiety devolves the task of supporting itself, the parasitic capitalists, the "bogus" capitalists, the workers engaged in ministering to the demands of the parasitic capitalists, the workers employed in the production of "bogus" and the immense reserve army of labor; also the army and navy, the police, the host of petty public functionaries; also the stragglers from the reserve army of labor, including the beggars, the paupers, and those driven by want to crime.

We have seen that the possessors of the tools and means of industry have failed in establishing order in their own ranks, as evidenced in the class of parasitic capitalists and a class of "bogus" capitalists, miserable counterfeiters, who rob the wealth producers of the just reward of honest work, while they degrade the workers by making them accomplices in their fabrications, then rob them by compelling them to buy the worthless goods they have fabricated, and finally poisoning them with their adulterations.

While failing to protect society in its consumptive capacity, the capitalist class has shared and degraded society in its productive capacity.

It has accomplished this result by establishing alternating periods of enervating idleness and debilitating overwork, by undermining the very foundation of society, the family life of the workers, in reducing the wages of the adult male workers below the cost of family maintenance and then employing both sexes of all ages to compete against each other.

"Our fathers are praying for pauper pay,
Our mothers with death's kiss are white;
Our sons are the rich man's serfs by day,
Our daughters his slaves by night."

And finally, by refusing to recognize the workers in a corporate capacity, and by invoking the collusion of their dependents, the judges and the legislators, to place the organized outside the pale of the law.

Nevertheless, in spite of all opposition, the Trades Unions have grown until they have become a power that none can hope to annihilate.

To-day modern society is beginning to regard the Trade Unions as the only hope of civilization; to regard them as the only power capable of evolving order out of the social chaos. But will the Sibyl's demand be regarded or heeded before it is too late? Let us hope so. The Trade Unions having a thorough knowledge of the origin and development of the capitalist class, entertains no desire for revenge or retaliation. The Trade Unions have deprecated the malevolent and unjust spirit with which they have had to contend in their protests and struggles against the abuse of the capitalist system, yet while seeking justice have not permitted their movement to become acrid by a desire for revenge. Their methods were always conservative, their steps evolutionary.

One of the greatest impediments to a better appreciation by the capitalists of the devoted efforts of the Trade Unions to establish harmony in the industrial relations, has been the perverted view taken by capitalists in regarding their capital as essentially if not absolutely their own; whereas, the Trade Unions, taking a more comprehensive and purer view, regard all capital, large and small, as the fruits of labor economics and discoveries, inventions and institutions of many generations of laborers and capitalists, of theoreticians and practitioners, practically as indivisible as a living man.

Another impediment to the establishment of correct industrial relations, has resulted from the vicious interference of the political economists with their unscientific analogy between commercial commodities and human labor. The falsity of their analogy was exposed in 1850 by a Parisian workman who was being examined before a commission appointed by the French government to inquire into the condition of the working people. One of the commissioners took occasion to impress upon their witnesses that labor was merely a merchandise. The workman replied, "if merchandise is not sold at one certain time, it can be sold at another,

while if I do not sell my labor it is lost for all the world as well as myself; and as society lives only upon the results of labor, society is poorer to the whole extent of that which I have failed to produce."

The more intelligent will, however, before long begin to appreciate the transcendent importance of the voluntary organization of labor, will recognize the justice of the claims made by that organization and will become conscious that there is nothing therein contained or involved that would be derogatory to the real dignity and interest of all to voluntarily and frankly concur in.

In order to understand the wants of labor, it is essential to conceive the hypothesis upon which the claims are based, hence the necessity of presenting the foregoing.

What does labor want? It wants the earth and the fullness thereof. There is nothing too precious, there is nothing too beautiful, too lofty, too ennobling, unless it is within the scope and comprehension of labor's aspirations and wants. But to be more specific: The expressed demands of labor are, first and foremost, a reduction of the hours of daily labor to eight hours to-day, fewer to-morrow.

Is labor justified in making this demand? Let us examine the facts:

Within the past twenty-five years more inventions and discoveries have been made in the method of producing wealth than in the entire history of the world before. Steam power has been employed on the most extensive scale. The improvement of tools, the consequent division and subdivision of labor; and the force of electricity, so little known a few years ago, is now applied to an enormous extent. As a result the productivity of the toiler with these new improved machines and forces has increased so manifold as to completely overshadow the product of the joint masses of past ages. Every effort, every ingenious device has been utilized to cultivate the greater productivity of the worker.

The fact that in the end the toilers must be the great body of the consumers, has been given little or no consideration at all. The tendency to employ the machines

continuously (the worker has been made part of the machines) and the direction has been in the line of endeavoring to make the wealth producers work longer hours.

On the other hand, the organized labor movement, the Trade Unions, have concentrated all their forces upon the movement to reduce the hours of daily toil not only as has been often said to lighten the burdens of drudgery and severe toil, but also to give the great body of the people more time, more opportunity, and more leisure, in order to create and increase their consumptive power; in other words, to relieve the choked and glutted condition of industry and commerce.

The prosperity of a nation, the success of a people, the civilizing influence of our era, can always be measured by the comparative consuming power of a people.

If, as it has often been said, cheap labor and long hours of toil are necessary to a country's prosperity, commercially and industrially, China should necessarily be at the height of civilization.

Millions of willing heads, hands, and hearts are ready to frame and to fashion the fabrics and supply the necessities as well as the desires of the people. There are hundreds of thousands of our fellow men and women who can not find the opportunity to employ their powers, their brain and brawn, to satisfy their commonest and barest necessities to sustain life. In every city and town of this broad land of plenty, gaunt figures, hungry men, and women with blanched faces, and children having the mark of premature age, and emaciated conditions indelibly impressed upon their countenances, stalk through the streets and highways. It does not require a philanthropist, nor even a humanitarian, to evidence deep concern or to give deep thought, in order to arrive at the conclusion that in the midst of plenty, such results are both unnatural and wrong. The ordinary man may truly inquire why it is that the political economist answers our demand for work by saying that the law of supply and demand, from which they say there is no relief, regulates these conditions. Might we not say fails to regulate them?

The organized working men and women, the producers of the wealth of the world, declare that men, women, and children, with human brains and human hearts, should have a better consideration than inanimate and dormant things, usually known under the euphonious title of "Property." We maintain that it is both inhuman, barbaric, and retrogressive to allow the members of the human family to suffer from want, while the very thing that could and would contribute to their wants and comforts, as well as to the advantage of the entire people, is allowed to decay.

We demand a reduction of the hours of labor, which would give a due share of work and wages to the reserve army of labor and eliminate many of the worst abuses of the industrial system now filling our poor houses and jails. The movement for the reduction of the hours of labor is contemporaneous with the introduction of labor-saving machinery, and has been the most faithful of all reformatory attempts of modern times, since it has clearly revealed the power of the working people to realize an improved industrial system, and raises the hope that we may yet be able to stem the tide of economic, social, and moral degradations, robbing those who work of four-fifths of their natural wages, and keeping the whole of society within a few months of destitution. Labor demands and insists upon the exercise of the right to organize for self and mutual protection. The toilers want the abrogation of all laws discriminating against them in the exercise of those functions which make our organizations in the economic struggle a factor and not a farce.

That the lives and limbs of the wage-workers shall be regarded as sacred as those of all others of our fellow human beings; that an injury or destruction of either by reason of negligence or maliciousness of another, shall not leave him without redress simply because he is a wage-worker. We demand equality before the law, in fact as well as in theory.

The right to appear by counsel guaranteed by the Constitution of our country is one upon which labor is determined.

To prescribe in narrower limits to the wage-workers and urge as a special plea that right is accorded before the courts is insufficient. The counsel of the toilers have earned their diplomas by sacrifices made and scars received in the battle for labor's rights rather than the mental acquirements of legends and musty precedents of semi-barbaric ages. The diplomas of labor's counsel are not written on parchment, they are engraved in heart and mind. The court our counsels file their briefs in and make their pleas for justice, right, and equality, are in the offices of the employers. The denial to labor of the right to be heard by counsel—their committees—is a violation of the spirit of a fundamental principle of our Republic.

And by no means the least demand of the Trade Unions is for adequate wages.

The importance of this demand is not likely to be under estimated. Adam Smith says: "It is but equity that they who feed, clothe, and lodge the whole body of the people, should have such a share of the produce of their labor as to be themselves tolerably well fed, clothed, and lodged." But the Trade Unions' demand is for better pay than that which Adam Smith deemed equitable. The Trades Unions, taking normal conditions as its point of view, regards the workman as the producer of the wealth of the world, and demands that wages (as long as the wage system may last) shall be sufficient to enable him to support his family in a manner consistent with existing civilization, and all that is required for maintaining and improving physical and mental health and the self respect of human beings; render our lives while working as safe and healthful as modern science demonstrates it is possible; give us better homes—just as potent a cry to-day as when Dickens voiced the yearnings of the people a generation ago; save our children in their infancy from being forced into the maelstrom of wage slavery; see to it that they are not dwarfed in body and mind, or brought to a premature death by early drudgery; and give them the sunshine of the school and playground instead of the factory, the mine, and the workshop.

We want more school houses and less jails; more books and less arsenals; more learning and less vice; more con-

stant work and less crime; more leisure and less greed; more justice and less revenge; in fact, more of the opportunities to cultivate our better natures, to make manhood more noble, womanhood more beautiful, and childhood more happy and bright.

These, in brief, are the primary demands made by the Trade Unions in the name of labor.

These are the demands made by labor upon modern society, and in their consideration is involved the fate of civilization; for

There is a moving of men like the sea in its might,
  The grand and resistless uprising of labor;
The banner it carries is justice and right,
  It aims not the musket, it draws not the sabre.

But the sound of its tread, o'er the graves of the dead,
Shall startle the world and fill despots with dread;
For 'tis sworn that the land of the Fathers shall be
The home of the brave and the land of the free.

MT. VERNON PARK.

PHILOSOPHY OF THE LABOR MOVEMENT

GEORGE E. M'NEILL.

The phenomena of the labor movement startles the rich, the comfortable, the indifferent, and many of the professional classes, because of the prevailing ignorance of its cause, its direction and its results.

The thunder of the denunciation of wage-slavery startles the possessor of wealth, opportunity, and position into fear for the structure of society. The lightening of the awakened hate of the unpossessed, and the tremor of the earthquake of despair, are to the lords of industry, commerce, and finance, as unexplainable as natural phenomena is to the savages of the plains and jungles.

The labor movement is born of hunger; hunger for food, for shelter, warmth, clothing, and pleasure. This hunger provokes activities for the possession of the desired objects. The congregation of men develops other appetites and desires, increasing in number, and quality; each satisfaction awakening an aspiration for the possession of the opportunities and enjoyments of a higher manhood. The appetite for coarse food, rude shelter, meagre clothing, and debasing pleasures, is succeeded by the aspirations for more and better. The aspiration for the better creating the desire; the desire forcing the demand, and the demand compelling the supply.

Men are born possessed with the unalienable right, not only of life and liberty, but to the pursuit of happiness, and the labor movement is the outward expression of the instinctive appreciation of these rights. In savage life, the organization of the tribe; and in so-called civilized life the

organization of the nation, and the higher inner organizations, religious, fraternal and economic, are the growths from the root of human hunger for the attainment of the higher happiness.

In the movement of humanity toward happiness each individual seeks his ideal often with stoical disregard of the happiness of others.

The savage man delights in the infliction of torture upon his victims. The civilized man delights not in the torture of his weaker brother, but is satisfied to partake of the results of the torture of those who are made contributors to his pleasure.

First families in the Eastern States were participants in the profits of the slave trade, and first families of the Southern States were participants with the slave pirates of the East. The war dance of the savages about the burning body of their prisoner is the same in spirit as the insane conduct one witnesses at the stock exchange in times of great excitement.

The savage man enslaves the woman, and the wife who should be the inspiration of the home becomes the drudge. The civilized man enslaves the wife or daughter of a less fortunate brother. Tribe wars against tribe, nation against nation, race against race, and the individual man against his brother.

Possession is said to be nine points of law; in nine cases out of ten it is an evidence of a theft committed, and the giving back of a beggarly part in the sacred name of charity is a confession of a guilty responsibility.

The labor movement commenced with those who by the crudest form of association, agreed to mitigate each others woes and to resist the common oppressors. It has from most remote antiquity developed along the line of the increasing aspirations, wants, and demands of the most moral and intelligent of its classes.

From its dawn it has been semi-religious, semi-political and industrial. Its religious life has been and is a protest against the mammonized interpretation of religious truth, yet through all times holding to those principles and superstititions that were protective to the interests of the many.

The idealist who promised future rewards and blessings, and the practical reformer who promised immediate relief or remedy, found many followers, and of Him, who united the idealist and the practical reformer, it is said: "The common people heard Him gladly."

As the ranks of the labor movement are composed of the controlled classes, they necessarily are opposed to their controllers. This fact explains the reason for the political side of the movement, whether under monarchical or republican forms of government.

The political phase is more distinctively emphasized where the opportunity for the expression of idealisms on political economic lines is suppressed, and because men are more easily united against political tyranny than they are against the more dangerous power of economic oppression. Political systems are national—the wage system is universal. The industrial phase is the ground work, the prime factor. In every division of the grand army of labor, its motto and war cry, everywhere and at all times the same, "More! More! More!"

In religion more heaven, in politics more power, in industry more wealth; but it is always bread first, not that by bread alone men can receive the fulness of life, but that by bread first the other good things are more easily obtainable.

"Give us, this day, our daily bread," is the universal prayer. The labor movement insists not only upon daily bread for the future, but bread for this day, now.

The laborers say, we want the kingdom of Heaven (of equity and righteousness) to come on earth, but we want an installment of that heaven now. In these days they are not crying for the "manna from Heaven," but they do protest against the withholding of corn from the poor and the robbery of those who toil. A strike for more wages, more leisure, and for greater happiness, is not a phenomenon to be investigated in the study, or by congressional committees, as a comet is investigated by astronomers.

The strike is part of the wage system just as much as the brake is a part of the necessary equipment of a railroad train. There are three kinds of strikes—the "why," the

"how," and the "when." The first asks why do you seek to reduce wages; the second, how is it you are making so much money, and we are not; and the third, when shall we have an advance in wages and a reduction in the hours of labor, and a fuller, freer life?

A strike is a suspension of business for the discussion of those questions, and it is the only way to compel a careful consideration of the question. The brakes stop the production of wealth, that better speed and safer progress may come through the increased power of the many.

The want of more and demand for more is the active motive of human advancement; material civilization is high or low in the ratio of the satisfaction of this demand. Enlightened civilization is dependent upon the right direction of the aspirations, wants, and demands of the many.

Material civilization rests upon the want of more regardless of the wants of others, and the demands for more at the cost of another's sacrifice. This civilization gave us Egypt, Rome, Greece, and Athens. It gave us the slave trade, chattel slavery, and the civil war. It gives us to-day this wonderful exhibition of a labor robbing prosperity. Magnificent buildings, time saving machinery and process, club palaces for idlers, and hovels for workers. It makes vice profitable, rewards gambling enterprises, stultifies the moral sentiments, laughs at religious restraint and mocks at political rectitude.

The industrial system rests upon the devil's iron rule: "Every man for himself." It is an unexplainable phenomenon that those who suffer most under this rule of selfishness and greed should organize for the overthrow of the devil's system of government.

The organization of laborers in Trade Unions recognizes the fact that mutualism is preferable to individualism; that the golden rule "Do unto others as you would that others should do unto you," means a greater return of happiness to each through the co-operation of all.

Examined by the light of all past history, individualism as a factor in the progress of civilization is a failure. Millionaire prosperity is short lived; institutions resting upon such a base must fall.

The labor movement is a self-evident fact; it sprang from human needs and aspirations, and grew in power as animal needs developed into social needs. So it will grow until the needs of the diviner man become the potent factor in the development of the full measure of man's highest possibilites.

A new interpretation of the old truth, "That the chief end of man is to glorify God and to enjoy him forever," reads that the glorification of God is in the reinstatement of man to the likeness of God; that to enjoy God forever, all things must be directed toward the securing for all the largest measure of happiness.

Economically considered, the labor movement is the operation of the law of God through the ages. The earth is the Lord's and the fullness thereof, and God gave command over all the things of the earth to man, not to a man or a class of men, but to all men.

A man's time is for his use with others for the subordination of nature to his and their development; and human development will always be limited or handicapped by the failure to develop the poorest equipped mortal.

Men who are compelled to sell their time are slaves to the purchaser. Men who control their time to the good of others are free men. Freedom means ability to serve others with others for the good of all. Slavery means the service with or without others to the pleasure of a class or individual.

Tracing causes to the depth of human experience, the labor movement rests upon the truth of the universal sovereignty of man over his environment.

The man who produces anything that is for the good of man, has a natural lien upon that product, and a social lien upon the product of all, as all have a social lien upon his product.

The law of the labor movement may be slated to be:

First. Appetite.
Second. Hunger.
Third. More appetite and
Fourth. More hunger.

Inordinate appetite begets savagery, and will commit any crime to satisfy its lusts even temporarily; but as the satisfaction of lust or inordinate appetite finally destroys the appetite and the pleasure of its satisfaction, so any system based upon the motives or activities of inordinate desire must be and is self-destructive.

Appetites directed and governed not by others through force, but through others by love, always increases the pleasure of satisfaction and the power of the renewal of desire.

The labor movement is the directing power over the natural tendency toward inordinate lusts, and its cry for more and more is the evidence of the renewed appetite that gives life.

In the progress of the movement of the army of manual laborers toward the promised land of peace, plenty, and good will, all hindering and opposing forces are contended with and removed. The overflowing streams whether of humanity or of water will sweep all before them.

Laborers restrained by chains of iron or of superstition, or of ignorance, or by social ostracism, or political or industrial dependence, are simply a pent up force that may break loose with unrestrained, destructive power.

The appetite of to-day is for better food, better houses, better clothes, better pleasures, in the ratio of the wisdom of the direction and power of membership of the organized labor movement.

China has organization, oath and superstition bound, but no organized labor movement. Hunger has been stultified not satisfied, compressed not expressed.

The labor movement of Germany and France is now emerging from force repression. If its expression is at some times fantastical and fanatical, it is but the natural result of the rebound.

In England and these United States we find the highest development of the labor movement on practical lines of idealistic promise. Parliaments and Congresses have bent their ears to catch the sound of its advancing tread.

Religion that once assumed the dictator's garb now gives promise that some day it will assume the attire of honorable service with and for humanity.

The potent influences of moral sentiment are active. Labor organizations are broadening and advancing on historic Trade Union lines.

The movement will be manifest by new phenomena; student observers will see the relation of the new phase to the old law. From raw to cooked food; from nakedness to clothing made of skins; from caves to tents, marking the first era—the lowest condition. Then the cultivation of food products, the making of clothing from fibre, and the building of houses, marking the second.

The congregation of the people brought about by permanent residence led to organizations on lines of mutual interests, and the order of civilization commenced.

The production of clothing and shelter awakened new aspirations that broadened the wants and stimulated the demands for the higher degree of happiness.

In the towns where the processes of production entered, the order of division of industry in crafts so acted and reacted in the multiplication of wants, that steam came as naturally as rain falls, to speed the processes, and then the modern labor movement commenced.

In the transition from hand to machine methods, laborers were displaced and demoralized. The home gave way to the factory. The ponderous loom could not be worked save by strong muscular effort; but the power loom and its adjuncts found work for infants of six and eight years of age. The obstructive and destructive force of organized laborers led to legislative interference and partial relief.

The conflict of aggregation against aggregation, competitor against competitor, interest against interest, locality against locality, now becoming manifest, will solidify laborer with laborer, Union with Union, and soon for the first time in history, the wage laborers' organizations will obtain industrial power and find in the farm-owners some common ground of agreement.

The diversity of opinion as to the results of the movement, and as to the methods and measures by which results are to be reached will not divert the labor movement from its historical, natural course.

The cry for more is the eternal cry, yesterday and to-day; it is with many a moan of sorrow, with many a bitter cry of anger, with some the natural wish; to-morrow, it will be a cry of joy.

The animal man first, then the social man, next the moral or truly religious man. So long as the wage system shall continue, the labor movement will progress along the lines of more wages, more leisure, and more liberty.

The power of an increased common wealth, or wealth equitably distributed, with increased common intelligence and enlarged moral perception and devotion, that comes through organization for mutual protection, will result in organizations for transportation and production. The organization for mutual transportation and production may, and in some enterprises will be general or national.

The philosophy of the labor movement teaches us that the rule of a common fatherhood and brotherhood that Christ proclaimed is God's law; that the wisest of self-interest is not in self-aggrandizement or self-abasement, but in mutual advancement; and that the movement that seeks more leisure and more wages will continue until methods and interests shall unite in maintaining, sustaining, and enlarging human happiness.

VIEW DOWN MERRIMACK RIVER FROM ANDOVER STREET.

OUR TEXTILE SCHOOL. — ITS ORIGIN AND DEVELOPMENT.

JAMES T. SMITH.

I am asked to give the origin of the Lowell Textile School with some reference to its scope, character, and place in the industrial world.

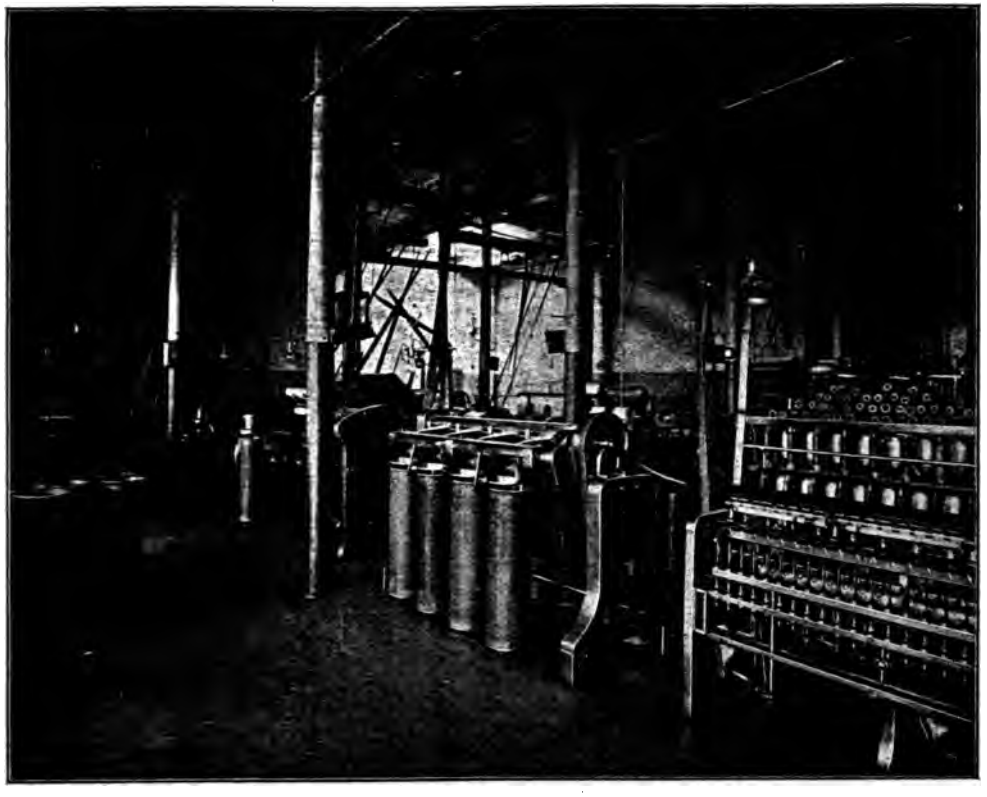
Resuming my residence in my native city after thirty years passed in judicial service or the Military and Civil Service of the United States, I undertook the duty of working for the industrial interests of the city with no acquaintance in textile circles and no knowledge of the textile art, on the prosperity of which the community depended.

What first attracted my attention was the small additional value added here in labor, etc., to the raw material which we had to send long distances for.

For instance: Lowell has a long established reputation, especially in foreign markets, for sheetings, shirtings, drills and so forth, which sell in the vicinity of six cents per yard. One pound of cotton makes 2 and 85-100 yards of cotton drills. This pound of cotton, manufactured, would sell for, say, seventeen cents. Over ten cents was sent south for cotton, coal, etc., leaving less than seven cents to represent the labor, interest on capital, power, etc., added here. A sample of Swiss muslin, not made in this country, sold for fifty cents per yard, and one pound of cotton would make sixteen yards, making $8.00 for the pound manufactured into this class of goods. A higher grade of cotton was required, and the raw material for the sixteen yards costs about twenty-five cents. The value added here was therefore $7.75, less customs duty and the merchant's profits,

as against seven cents in the case of the coarser goods. To make these high class goods, for which there is an ample market, as we import nearly $100,000,000 annually of these high class textiles, would require higher skilled labor in every process of manufacture, and to change over our textile products to these higher grades of goods, with the higher wages that higher skill always commands, and the increased purchasing power of the wage earner that would result, seemed to be wise policy in working to increase the prosperity of this textile manufacturing city. A late agent of one of our largest mill corporations when interviewed on the subject said that should he change to the finer goods he would with his immense output of goods soon overstock the market. But when I looked up the statistics I found that we were not only not supplying the foreign market but were actually importing about $100,000,000 annually of the higher grade textiles while exporting but $20,000,000, these last being of the coarsest class.

While studying the situation I met with some gentlemen who had in view the establishment of a Natural History Museum, and at this conference among other collections mentioned as possible to be obtained, was a duplicate of a great collection of textiles made for a textile school at Mulhousen, Alsace. This gave me the first hint that there were schools for supplying the skill that Lowell would need to change the grade of its textiles, and in my first circular as Secretary of the Board of Trade, dated June 1, 1891, I mentioned the project for a museum and said that out of it, if established, should be developed a textile school "to eventually be commodiously and imposingly housed." Although an organization was effected, the Museum project did not make headway; and having in the meantime availed myself of my knowledge of the official channels at Washington to ascertain the scope, character, and results of foreign industrial schools, I became a member of the Middlesex Mechanics Association in the hope of inducing that institution to develop as a textile school. An amendment in 1837 to its charter authorized it among other things to employ "suitable persons to instruct said members by



COTTON DRAWING AND SPINNING.

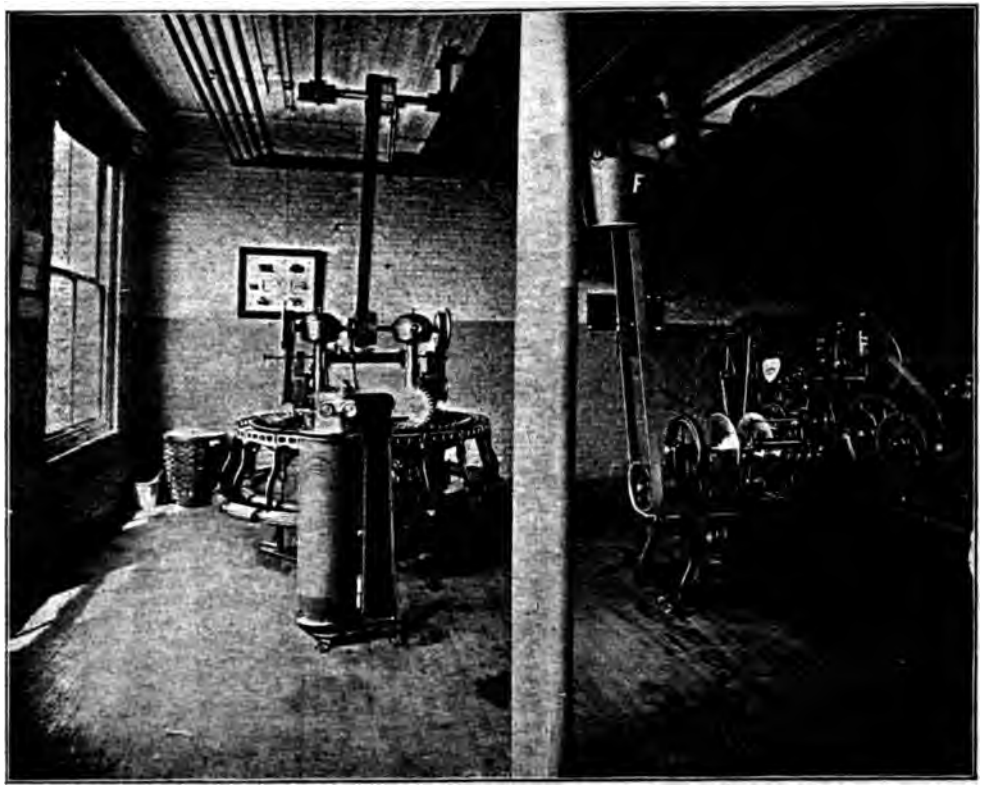
lectures or otherwise in the various arts and sciences," and herein seemed to be ample authority to set up the modern textile school. Although the proposition was received with favor in that association and was heartily endorsed by the Lowell Board of Trade, the committee appointed was required to wait until the association finances could be adjusted, and during the long delay resulting, a scheme developed to change the M. M. A. into a gentlemen's social club. This, being dependent on the diversion of a charity fund, failed and the association by this time was so hopelessly involved as seemingly to compel dissolution and the sale of its realty.

I then submitted a proposition that the real and personal property be made over to a corporation to be formed to establish and maintain a textile school, the M. M. A. to preserve its organization and its members to have access to and the use of its library during their lives with the privilege of taking it away if they should obtain a location elsewhere. This proposition if accepted would probably have provided the $25,000 that was desired to insure a like appropriation by the state and have saved the city treasury such contribution. But the matter could not be arranged, and I then wrote President Francis A. Walker of the Massachusetts Institute of Technology, an old Washington acquaintance, proposing that the desired school be established at Lowell as a department of the Institute, the study of foreign schools having shown that such schools to succeed must be in the near vicinity of the mills, these forming valuable adjuncts in instruction. Several interviews were had and the matter fully discussed. Technology had first to complete its equipment in the lines of industrial science and art it already embraced, and there was hesitation because of the extensive equipment and immense floor space that would be required. The Lowell School of Applied Design, nominally a department of Technology, had begun to assemble textile machinery, but for similar reasons had abandoned the project.

I then came back to Lowell, invited the agents of the Lowell mills and directors of the Board of Trade to con-

DESIGNING CLASS ROOM.

BAND LOOM ROOM DRAWING IN.



WORSTED COMB.

ference, and laid before them the facts I had gathered and explained the Textile School project. They received the project with so much favor that I presented it at length in writing to Augustus Lowell, Esq., of Boston, president of several of the leading mill corporations of the Merrimack Valley, and the patron of the Lowell School of Applied Design, and after an interview with him, at which he manifested much interest in the project, brought the matter to the attention of Arthur T. Lyman, Esq., and Chas. E. Lovering, Esq., Treasurers of the Lowell Manufacturing Company, and the Massachusetts Mills, who likewise were favorably disposed.

I was, however, among strangers; and, coming back to the Lowell agents, an association to establish a school was soon assured. Hon. Frederick Lawton kindly volunteered his legal services, and two bills were prepared to submit to the legislative session of 1895, one providing an appropriation for the school, and the other for the incorporation of the trustees.

About this time the officers of the Philadelphia Textile Department of the School of Industrial Art of the Pennsylvania Museum, understanding that the Lowell School of Applied Design at Boston had abandoned the project of installing textile machinery, made a very comprehensive exhibit of their work at the annual meeting of the National Association of Wool Manufacturers held at Boston, and extraordinary interest was aroused in textile education. An enterprising trade journalist, Mr. Frank P. Bennett, publisher of the American Wool and Cotton Reporter, etc., who had been warmly interested in the Philadelphia school, took up the subject energetically, and through his efforts the legislature was deluged with petitions for Textile Schools. Instead of finding ourselves the only petitioners at the legislature we were almost snowed under with competitors. The interest thus aroused did, however, aid much to secure desired legislation. We waited until all other petitioners had been heard, when a morning was devoted solely to the Lowell petition. And here the value of our long study of the subject and thorough collection

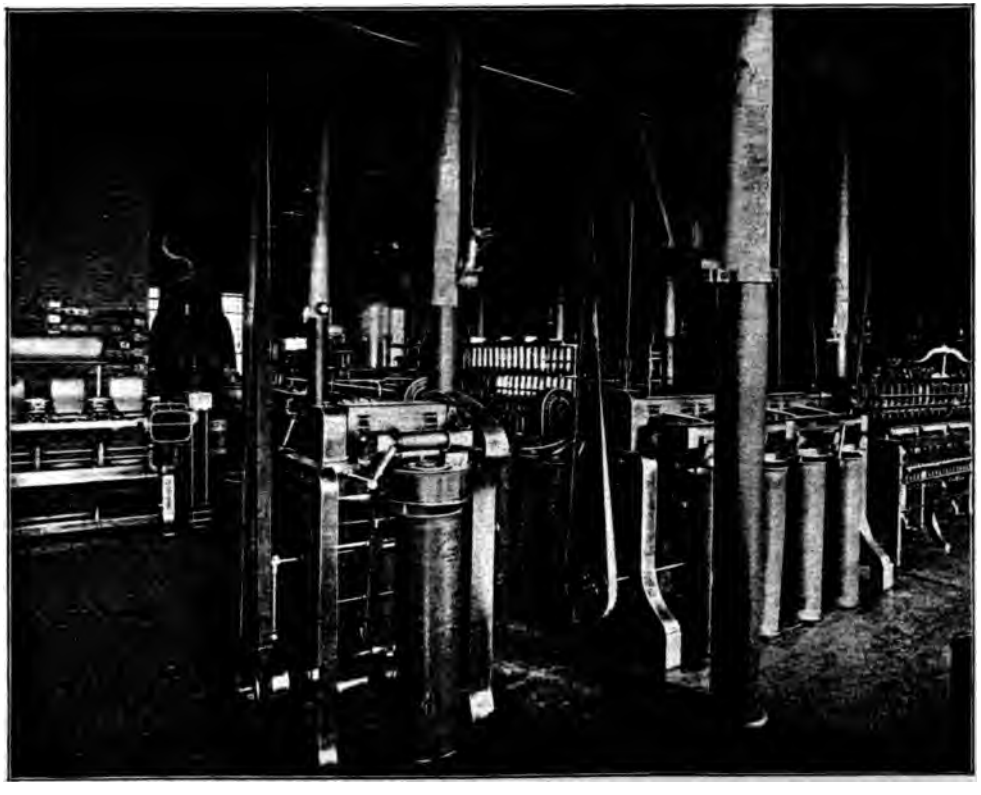
WORSTED CARD.

of data, and the fact that the control of the enterprise had been placed with the representatives of our great mills and shops who were able to furnish the committee with object lessons in weaves, design, etc., became apparent, for we had the satisfaction of hearing the chairman, Senator Roe of Worcester, who has been a staunch friend of textile education, say when we closed, that "the committee has now heard all the other petitioners for Textile Schools and has now heard Lowell, and the Lowell petitioners are the first who have given us the idea of what a textile school is, and who seem to know what they want."

While the Lowell associates had found the necessity for the Textile School in textile conditions at Lowell, study of foreign schools and the domestic textile situation had convinced them that in providing for the necessities of Lowell they were providing for like necessities of the textile industry throughout the Commonwealth. A school for thorough scientific instruction in the theory and art of textile and allied industries was demanded, and they believed it would be wiser to concentrate expenditures to secure such a school rather than in response to local pride to establish several second class schools. They have, therefore, from the first regarded the Lowell school as a state rather than a local school. But at the same time they have antagonized no movement for a textile school elsewhere when it was evident that the local textile manufacturers believed it to their interest to have such a school. Hon. Wm. M. Butler of New Bedford, then President of the State Senate, representing the New Bedford interest, and Hon. Frederick Lawton, representing the Lowell interest, enlarged the Lowell bill, preserving its principal features, into what is known as the "four school bill," allowing all cities having 450,000 spindles to establish textile schools, and granting to each $25,000 on condition that the respective city contributed a like amount. This is Chapter 475, Acts of 1895. Lowell having its plans matured was first to organize a corporation under this act.

This was effected June 18, 1895, the incorporators being Augustus Lowell, A. G. Cumnock, Edward W. Thomas,

JACQUARD WEAVE ROOM.



COTTON COMB AND RAILWAY HEAD.

HAND LOOM ROOM.

Charles L. Hildreth, Wm. S. Southworth, Eugene S. Hylan, A. G. Pollard, Jacob Rogers, Frederick S. Clark, Alvin S. Lyon, Frederick Lawton, Edward W. Atkinson, Thomas Walsh, Haven C. Perham, and James T. Smith. Subsequently and prior to the opening of the school, Messrs. Walter E. Parker, Franklin W. Hobbs, Frederic E. Clarke, Edward D. Holden, and J. W. C. Pickering were elected additional permanent trustees. Under the terms of the act, Hon. Wm. F. Courtney, Mayor, and A. K. Whitcomb, Superintendent of Schools of Lowell, became trustees, ex-officio, and Augustus Lowell, Esq., and Howard Stockton, Esq., were appointed by the Governor trustees on the part of the Commonwealth. At the organization A. G. Cumnock was elected President, James T. Smith, Clerk, and A. G. Pollard, Treasurer.

In endeavoring to place a loan in the interest of the school, the City of Lowell was met with an opinion by the attorneys of a Boston broker that the Textile School act was unconstitutional and Mr. Lawton was compelled to go to the supreme court for a decision, pending which the establishment of the school was necessarily suspended. The decision being favorable, the trustees proceeded with a meeting held June 16, 1896, and the necessary committees were created. Rooms were rented in the Parker Block, Middle Street, and the School formally opened for the first half school year, February 1, 1897, with Mr. Christopher P. Brooks of Charlotte, S. C., as Director.

The attendance the first term was all that could be desired The trustees gave personal attention to the installment of the equipment and the establishment of the several departments. The committee on equipment was Alvin S. Lyon, Chairman; Edward D. Holden, Walter E. Parker, Frederic S. Clark, Edward W. Thomas, Charles L. Hildreth, Eugene S. Hylan, Edward W. Atkinson, and it is mainly to the efforts of the Chairman, aided by his associates of the committee, that the school is indebted for its splendid equipment and the constant additions thereto. Equally efficient service was rendered by the committees on instruction, rooms, and lectures. All bills pass the rigid


PLAIN LOOM
FROM
THE BIGELOW MACHINE WORKS
WOOLEN DRESSER
FROM DAVIS & FURBER
MACHINE CO.

WEAVE ROOM.

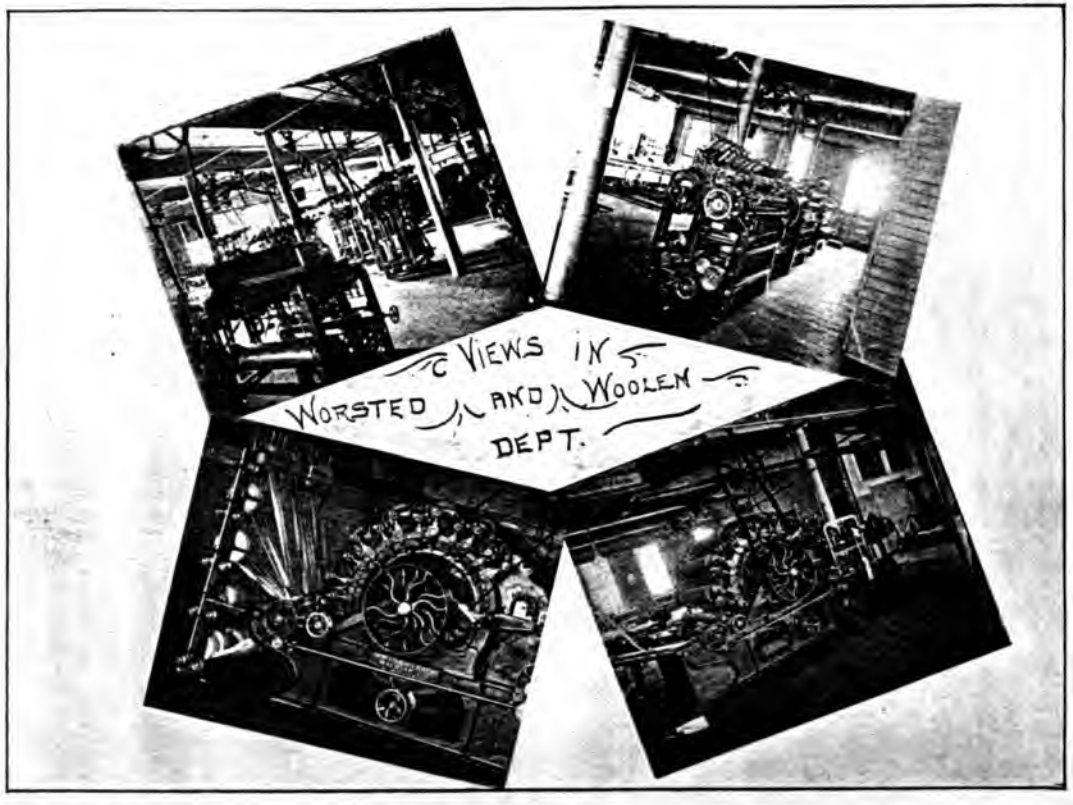
scrutiny of a committee on finance composed of President Cumnock, Treasurer Pollard, and Trustee Lyon. This committee is substantially an executive committee.

Thus far if in compliance with the request "that I set forth particularly the preliminary stages of the Textile School movement," I have appeared to give prominence to my own work it is due to the fact, that until an association was formed the direction of the movement was solely in my hands. I had assumed a duty towards a business organization to work for the industrial interests of the city, and had been left free to determine in what line I could be most effective. The line chosen seemed to be the most effective, having in view the character of our industries, and I was but discharging an obligation which I could not ignore.

I have referred to the fact that I was not at the outset acquainted in textile circles and with textile conditions, and had not had access to textile literature. My attention having from the first been directed abroad, it was not until I sent out a circular in 1894 to all industrial and art schools in the country that I learned of the existence of the Philadelphia Textile School. Unconsciously in seeking to develop a textile school out of a museum I was working in the exact line of the development of the Philadelphia School, which was evolved out of an Industrial Art Museum.

Early in the movement here gentlemen who were more or less familiar with what had been done at home and abroad for textile education or who had already given thought and work to the subject were disclosed. President Cumnock had early been interested in the work of the Lowell School of Applied Design at Boston, and he staunchly supported the Textile School proposition before the Middlesex Mechanics Association, as did Miss Helen Whittier and Mrs. George F. Richardson, who were members of the committee appointed to consider it.

The earliest to appreciate the value of such a school was Charles L. Hildreth, Esq., superintendent of the Lowell Machine Shop. When in the school board he provided in


VIEWS IN
WORSTED AND WOOLEN
DEPT.

the construction of the Green Grammar School, for drawing and lecture rooms, and had the basement fitted for the installation of a textile machinery plant.

An article in the Quarterly Magazine of the National Association of Wool Manufacturers in 1892 by Trustee Franklin W. Hobbs, Assistant Treasurer of the Arlington Mills, who had had the advantage of the great Textile School at Crefeld, Germany, was a most valuable contribution to the movement, setting forth clearly the necessities for textile education and the line of effective work to secure it. Edward W. Thomas, Esq., Agent of the Tremont and Suffolk Mills, was early appreciative of the importance of such a school, and as President of the New England Cotton Manufacturers' Association directed the attention of that organization to textile education, securing valuable papers by Edward W. Atkinson, Esq., C. J. H. Woodbury, Esq., Secretary, and others, and discussion thereof. Thomas Walsh, Esq., Superintendent of the Hamilton Print Works, was a member of the earliest self-appointed committees that frequently conferred in working up the details for an organization and who has since rendered such valuable service in the establishment and development of the chemistry and dyeing department. S. N. D. North, Esq., Secretary of the National Association of Wool Manufactures, and Henry G. Kittredge, Esq., Editor of the Textile World, whose knowledge of textile fibres, textile literature, etc., makes him one of the highest authorities, have been staunch friends and workers for the Lowell school, and finally each trustee serving, as most are, on sub-committees for respective departments, has given time and experience to specialties with which they are familiar, the value of which service can not be estimated in dollars.

At the present time the equipment of the school is sufficiently complete to convert raw cotton or wool into the finished fabric without leaving the school; and to accomplish this there are four regular courses, viz: Cotton or Wool Manufacturing; Designing, Chemistry, and Dyeing.

Each of these courses covers three years and includes whatever allied subject is necessary to make the course

broad and strong. The scope of the work is so much broader than any other school of a similar character that except for the first year or two there has been no guide in laying down the detail of the several courses. A careful study of the needs of the manufacturing world, together with the ways and means of accomplishing the same, have at least given the Lowell Textile School an exceptionally strong equipment.

The Faculty of the school is constantly on the alert to apply whatever laws of natural science may have direct bearing on the work of the school, and although they have accomplished much thus far find an ever broadening field ahead.

Theories are not lacking; but the means of putting these into practical operation are after all very limited, and this field, it is to be hoped, will soon be well taken care of by the school.

HISTORY OF THE TEN HOURS MOVEMENT.

CHARLES COWLEY, LL.D.

The movement for a shorter working-day was initiated by Robert Owen at New Lanark, Scotland, in the year 1800; but made little progress until the close of the long European wars in 1815, the year of the fall of Napoleon. Then it was that the ship-carpenters and caulkers of New York and other cities on the Atlantic coast, who then worked "from sun to sun," began an agitation for a reduction of their working-time to ten hours a day. Faint and feeble in its beginnings, as the years rolled by, this agitation increased in volume and in vigor, though repeatedly apparently suppressed, and finally achieved a triumph which was attended with important and widespread results.

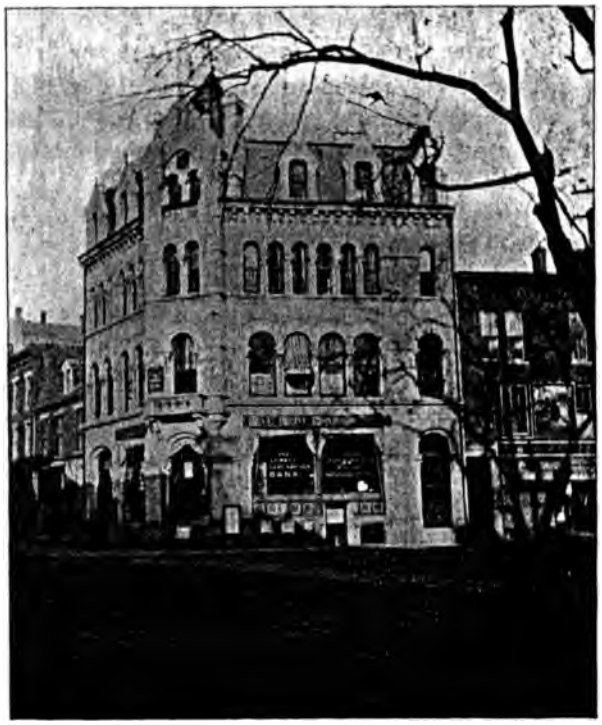
In 1826 Edward Everett began his political career, being elected to Congress from the Lowell district, as the Independent Workingmen's Candidate, with the aid of many Whigs who disliked the Whig nominee. In each of the four following elections, Everett was elected as the Whig candidate. Without declaring for any specific statutory measure, he continued in popular lectures to avow his deep sympathy for the workingmen. Dr. Channing and many others followed his example.

On October 6, 1830, Everett observed, in addressing the Charlestown Lyceum, "that the Workingmen's Party, however organized, must subsist in every civilized country to the end of time." So, twenty-five years later, Rufus Choate declared that the Native American party would be permanent, because the native population largely preponderated over the foreign born. Prophecy was clearly not the forte of Everett or of Choate.

In 1831, the first ten-hours bill was introduced into the British Parliament, and the matter was agitated for seventeen years.

In 1832, the New England Reformer, a journal devoted to ten hours and other reforms, appeared in Boston.

In September of that year, a convention of delegates from farmers, mechanics, and other workingmen of Maine,



MARBLE BANK BUILDING.

New Hampshire, Massachusetts, Rhode Island, and Connecticut, including several able men, met in Boston, and urged the adoption of various reforms, one of which was the ten-hours system.

In 1833, two very able men declared against the ten-hours bill, who in later years rendered inestimable service to the cause—Thomas B. Macaulay in England, and Robert

Rantoul in Massachusetts. Standing as a candidate for Leeds in the first reformed Parliament, against Michael T. Sadler, the Factory Reformer, Macaulay told the electors that the ten-hours bill was a "quack medicine." Rantoul published an article in opposition to this measure, which has been republished in his Memoirs as if it embodied his mature views. The antagonism of such men

HIGHLAND CLUB.

as these was a serious obstacle. But they were honorable men, and when they learned that they were in the wrong, they frankly said so, and came out boldly for the right.

In 1834, a general trades-union was formed in Boston, which, on July 4th, had a procession with two thousand men in line, an oration by Frederick Robinson, a Charlestown lawyer, (father of the governor of that name), and a dinner in Faneuil Hall. The oration was given on Fort

Hill in the open air, because twenty-two churches were refused, one after another, to the committee of arrangements. But the movement which won the advocacy of such a lawyer as Robinson soon found advocates in the medical profession, and in the pulpit. Orestes A. Brownson, who passed through several Protestant denominations to find a home at last in the Roman Catholic Church, was among

MASONIC TEMPLE.

the earliest and ablest of those, who alike in the pulpit, on the platform, and through the press, gave this movement their hearty support.

In 1835, the city authorities of Boston refused the use of a hall for an evening meeting to discuss ten hours. But in May of that year a general strike for the ten-hours system

took place in Philadelphia and several other cities, which, though it failed of its immediate purpose, presaged ultimate success.

In December, 1835, the journeymen house-carpenters of Boston met and resolved to do all in their power to reduce the hours of labor to ten hours a day; in 1836 they struck, though unsuccessfully, for the ten-hours system. The

POST OFFICE.

same result attended similar strikes then made in other places. Still, the agitation made headway.

In 1836 the famous English lady, Mrs. Norton, published "A Voice from the Factories," which was widely read on both sides of the Atlantic.

On April 10, 1840, the ten-hours system was introduced in all the establishments under the Federal Government,

and the example of the United States was speedily followed by private establishments in many trades. From the larger cities on the seaboard the agitation now extended to the inland manufacturing towns, and a series of philanthropic movements signalized the following years.

In 1842 the hours of labor for children under twelve years of age, employed in the factories, were limited to ten a day by law; but for want of officers to see that the law was enforced, it was continually evaded.

CENTRAL FIRE STATION.

In 1843 the Legislature received a petition from many Lowell factory girls for a ten-hours law, but did nothing.

In 1844 the ten-hours system was adopted by most of the ship-building trades in Massachusetts, and these were soon followed by other trades. In that year (1844) John G. Whittier edited the Middlesex Standard, a weekly journal published in Lowell, devoted to literature, the Liberty Party, and the elevation of labor. In that journal, on October 24th, he declared, "Both classes, the employed

and the employers, would be benefitted in the end by the general adoption of the ten-hours system." And he never swerved from that opinion.

About this time Charles Sumner delivered his lecture on Charles Louis Fourier, and the Fourier form of socialism. At first Sumner declared for ten hours, but in 1873 he made a speech for eight hours, which was only a fuller development

MERRIMAC HOUSE.

of the sympathies and sentiments of his whole adult life. No mention, however, of this lecture on Fourier, which he delivered in Newburyport, nor of the speech for eight hours, which he delivered at Smith's, in Boston, is made by Pierce, or Story, or any other of his biographers.

In 1844 Engle's notable work on the "Condition of the Working Classes" appeared, giving a new impetus to ten hours.

In June, 1845, a great mass meeting was held at Pittsburg, Pennsylvania, in favor of ten hours, which was followed by an extensive strike.

On the Fourth of July., 1845, a great mass meeting of workingmen was held at Montvale in Woburn, at which Charles A. Dana, Horace Seaver, A. J. Wright, Albert Brisbane, Sarah J. Bagley, and other able men and able women advocated ten hours and other labor reforms. The

OLD CITY HALL.

present writer, then a Montvale boy, was present at that meeting, and there became indoctrinated, so to speak, with Labor Reform. He was also one of the few survivors, who, fifty years later, were banquetted in Boston in memory of that meeting.

In this year (1845) petitions were received by the Massachusetts Legislature from more than two thousand factory operatives in Lowell and Fall River for ten hours, and

referred to and heard by a committee, which made an extensive report thereon. (House Document, No. 50.) The report, as was expected, was adverse to this reform; but the discussions which it stimulated greatly helped the cause.

Twice during this year, 1845, the famous Robert Owen visited New York, Boston, Lowell, and other American cities, in advocacy of the cause, of which he was the father.

APPLETON BLOCK.

In October, 1845, the New England Workingmen's Association, which had been organized at Boston in the preceding March, met at Lowell and passed resolutions of sympathy and encouragement for the strikers at Pittsburg.

In 1845-46 the Voice of Industry, previously and subsequently published in other cities, was issued from Lowell, by W. F. Young.

On May 22, 1846, Macaulay made his great speech for the ten-hours bill in the House of Commons. It was, of course, reported in Hansard's Debates, and in the London Times; but the best report of it is that which was revised by himself.* If the Illinois judges who sat in the case of Ritchie v. the People had read this speech, they would

A. G. POLLARD & CO.

have seen that their objections to the ten-hours law had been anticipated by Lord Macaulay fifty years before.†

On May 1, 1848, the ten-hours act took effect in Great Britain. Professor Blaikie says, "The operation of the act has proved most satisfactory, and many who at first

* Lord Macaulay's Speeches, Longmans, Green & Co.
† 155 Illinois Reports, 98.

were most vehement opponents, afterwards came to acknowledge the magnitude of the improvement." One effect of that act was to stimulate the hopes and efforts of workingmen in the United States, and also in France and Germany.

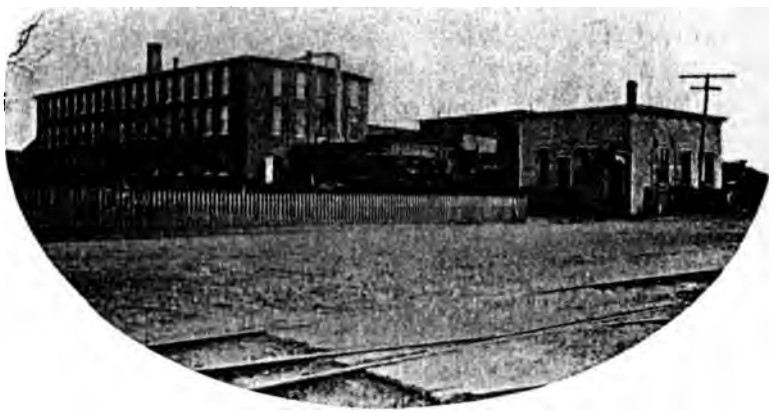
In 1850 the Coalition between the Democrats and Free Soilers of Massachusetts was greatly helped to power by

C. B. COBURN & CO.

the agitation for ten hours. Robert Rantoul (for the remainder of Daniel Webster's term) and Charles Sumner (for the succeeding term) were elected to the Senate at Washington, and George S. Boutwell was elected Governor. In November, 1851, the same Robert Rantoul, whose biographer reports as against the movement, made able

speeches in the Lowell City Hall in favor of ten hours.

In 1850 the Legislature received numerous petitions for a ten-hours law, and a majority of the committee to whom they were referred, reported in favor of an eleven hour law to take effect September 1, 1850, and a ten-hours law to take effect July 1, 1851. (House Doc. 153.) But the bill was defeated. The same result attended the petitions to the Legislature of 1852. (House Doc. 185.)



F. P. CHENEY'S BOX MANUFACTORY.

In September, 1852, a State Convention of the Ten-Hours Men of Massachusetts was held in Boston, the proceedings of which were widely published in newspapers as well as in pamphlet form. On September 21, 1853, the eleven-hours system was adopted in Lowell, Fall River, and Lawrence, not by legal enactment, but by the action of the managers of the mills, taken in consequence of the pressure of the agitation for the ten-hours bill. (Cowley's History of Lowell, p. 149.)

Having obtained this reduction to eleven hours without statutory coercion, the operatives hoped for a further re-

duction to ten hours (the ten-hours system having become general in other branches of industry) also without statutory coercion; but their minds were occupied for a dozen years by momentous questions in national affairs, and the ten-hour cause languished until the close of the civil war.

But even while the war was still going on, the Legislature of 1865 passed a resolve, introduced by Mr. Edward H. Rogers of Chelsea, providing for the appointment of

E. W. HOYT & CO.'S BUILDING.

an unpaid commission of five members, "to collect information and statistics in regard to the hours of labor, and the condition and prospects of the industrial classes." Governor Andrew appointed on this commission William P. Tilden, Henry I. Bowditch, F. B. Sanborn, Elizur Wright, and George H. Snelling; and their report, made in 1866, marks an epoch in the progress of our cause. (House Doc. 98.)

No sooner was "all quiet upon the Potomac," than the ten-hours agitation was revived on the Merrimac. Within three months after the great surrender of General Robert

E. Lee at Appomattox, the Cotton Spinners' Association of Lawrence called a convention of delegates from all classes of factory operatives, the outcome of which was the organization of the Ten-Hours Amalgamated Association, which held its first meeting about August 1, 1865. It was on that day that the Pacific Mills were visited by General U. S. Grant, a man of great pugnacity and pertinacity, but there were men in that association, who in pugnacity and pertinacity, were fully equal to the hero of Appomattox.

Fall River followed the example of Lawrence, but I have not the date of the formation of her Ten-Hours Amalgamated Association, which, however, was in successful operation in the fall of the year 1865. Meetings of those associations, which were necessarily secret, were held weekly, public meetings less frequently. Circulars, petitions and addresses were circulated, and much good missionary work was done, particularly by the men of Lawrence.

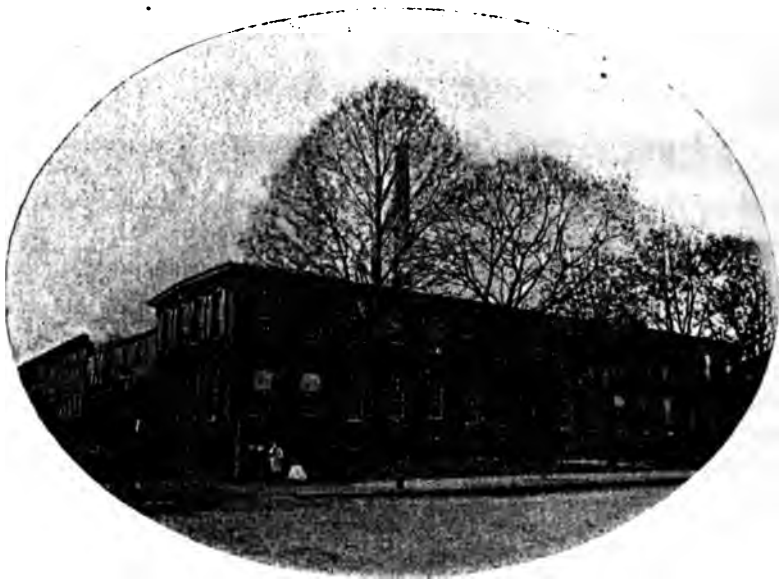
Early in 1866, the Legislature received numerous petitions for a ten-hour law from Lawrence, Fall River and Lowell, and another unpaid commission of three members was appointed by Governor Bullock, consisting of Amasa Walker, William Hyde and Edward H. Rogers, whose reports were made in 1867. (House Doc. 44.)

On October 28, 1865, Robert Bower, Thomas Ridgway, James Holdsworth, and Patrick Mullen, all of Lawrence, held a meeting in Jackson hall, Lowell, for the purpose of renewing the agitation for the ten-hours law in that city. They, themselves, paid for the use of the hall and for the posters which announced the meeting, which was addressed by each of them, as well as by three Lowell gentlemen. From that time until the ten-hours law was passed, Lowell men continued to do something on this line, but not much for the next three years.

In 1868, Congress passed the eight-hours law for persons in the employ of the United States; in 1869, the Massachusetts Bureau of Statistics of Labor was established, and thereby the movement for ten hours in manufacturing establishments was greatly aided.

In 1869, there were hearings before legislative committees on two petitions—one for an act to incorporate the Grand Lodge of the Knights of St. Crispin; the other for the ten-hours law; on both the committee reported leave to withdraw.

In consequence of this refusal of the Legislature to incorporate the Grand Lodge of the Order of Knights of St. Crispin, the men employed in the boot and shoe manufactures, of which that Order was composed, called a State Convention



LOWELL HOSIERY.

at Worcester for the purpose of organizing a Labor Reform Party, and invited workingmen, irrespective of the particular branches of industry in which they were engaged, to send delegates to that convention. Prior to this time there had been little if any co-operation between the men engaged in textile industries and those engaged in the manufacture of boots and shoes. But it happened to the writer of this article to be president of the Ten-Hours League of Lowell and also counsel for the Grand Lodge of Knights of St. Crispin, and at his suggestion delegates were sent from Lowell

to that convention. Mr. Robert Bower, then president of the Ten-Hours League of Lawrence, also attended the convention, with other members of that league, and served as its temporary president. The convention adopted a platform which included the ten-hours law for textile manufactures, the right of incorporation for trades-unions, and other measures of reform; and from that time the workers upon leather acted in perfect accord with the workers in cotton and wool. In consequence of the pressure which was then brought to bear upon Republicans and Democrats, the legislature of 1870 passed an act incorporating the Grand Lodge of Knights of St. Crispin, which was sustained by the Supreme Judicial Court in Snow *v.* Wheeler (113 Mass., 179).

The present writer argued that case for the plaintiff, and Judge P. E. Aldrich for the defendants.* The opinion of the court in that case established upon solid foundations the legality of trades-unions in Massachusetts.

Although the legislature of 1870 passed the Crispin charter, it refused to pass the ten-hours bill. Although it passed the House by 133 to 67, it was defeated in the Senate.

In 1871, 1872 and 1873, the ten-hours bill passed the House, but was defeated in the Senate. In the next year, came victory. The ten-hours' bill passed both branches of the legislature, and was approved by Governor Talbot. It is Chapter 221 of the acts of 1874, and its constitutionality was established by the decision of the Supreme Judicial Court in Commonwealth v. Hamilton Manufacturing Company, (120 Mass., 383.)

How great has been the change in public opinion within thirty years! Then few favored the incorporation of trades unions or the ten-hours law. Now, the pope, the kaiser, the princes of the church, the princes of the world, all favor the right of association and the incorporation of associations of workingmen, and the beneficent effects of the ten-hours law are conceeded by all. To me, and to every man and to every women who assisted in procuring the enactment and enforcement of the ten-hour's law, when-

* See Gunton's Social Economist for July, 1895, p. 131.

ever we meet women and children on their way to or from the factories of Lowell, Lawrence, or Fall River, it is gratifying to remember that we participated in the movement which has taken one whole hour from their working day, and added one whole hour to the time allowed them daily for rest and culture and the comforts of domestic life. The condition of our factory operatives is destined to further improvement. Other reforms remain to be effected to enable the men and women in our mills to fight under better conditions the strenuous battle of life.*

To such men as Lord Macaulay, the seventh Earl of Shaftesbury, Lord Beaconsfield, Robert Owen, Richard Oastler, M. T. Sadler, and others, high and low, who won this beneficent reform in Great Britain, and to the men of Massachusetts who, in spite of persecution and proscription, fought for and finally won this great boon here, the working people, nay, all the people of the old Bay State owe everlasting gratitude. But how few of them ever received the recognition which they so richly deserved? If a statue of N. P. Banks is to be erected on the State House Grounds, it is in honor of the General, the Speaker, or the Governor, rather than the advocate of the ten-hours law, and the eight-hours law, and Banks was but one of many who gave their best services to the cause. Truly, "Republics are ungrateful."

* See Stimson's Labor Legislation in the United States, McNeill's Labor Movement, Gunton's Social Economist for June, 1893, p. 430-433; and the reports of the Bureau of Statistics of Labor.

THE TRADERS NATIONAL BANK.

This bank was organized July 1st, 1892. Its promoters were stirring business men of recognized ability and financial strength.

The policy of the bank from the start has been to combine approved and progressive business methods with conservative and safe banking principles. This policy has

THE TRADERS NATIONAL BANK BUILDING.

proved both popular and profitable, in that, commencing with a total deposit of fifty thousand dollars, and no surplus, the bank showed June 1st, 1900, in less than eight years, a total deposit of over two and one-half millions of dollars, and a surplus in excess of its capital of two hundred thousand dollars.

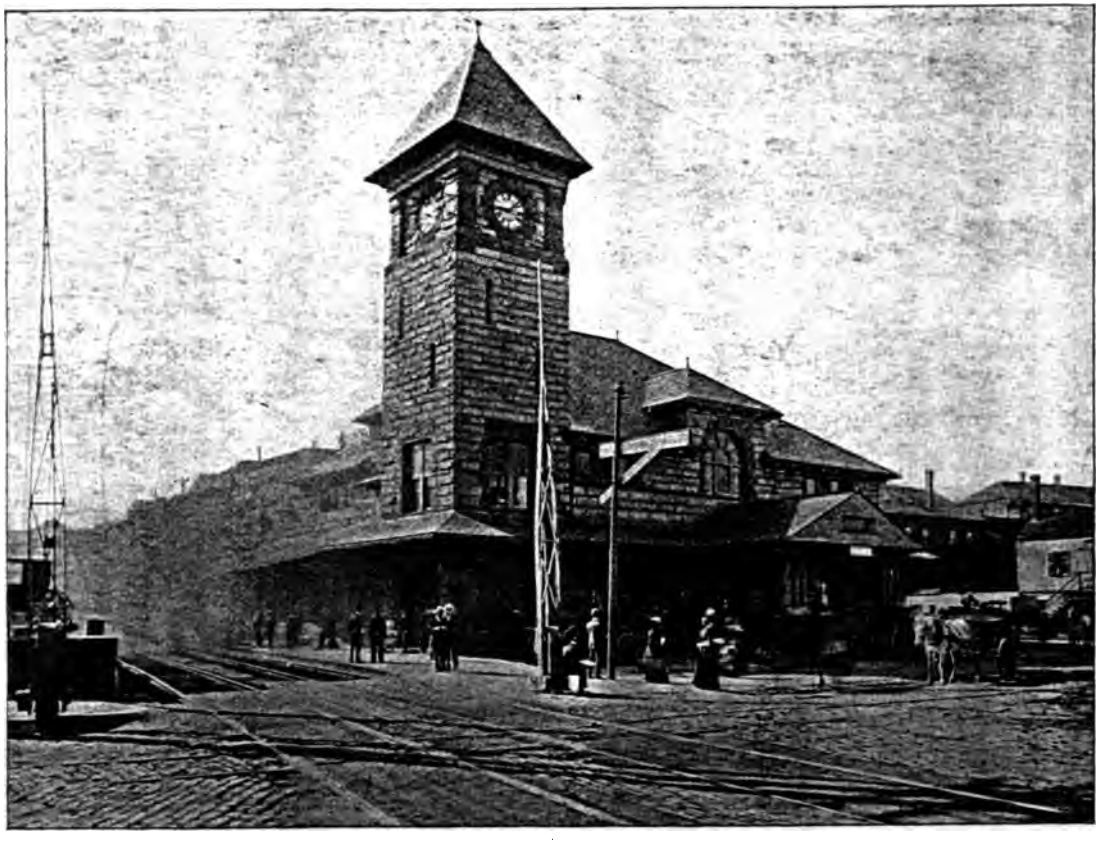
To accommodate increasing business the bank enlarged its quarters during the year 1899, and now occupies over

7000 sq. ft. of floor space, all on the street floor. This enlargement made room for a separate department for the accommodation of its lady patrons, with complete banking facilities, including reception, correspondence, reading and toilet rooms in charge of a lady attendant.

The interior of the bank has an air of spaciousuess together with dignified elegance, and homelike convenience, and is certainly a credit to the city.

The bank issues drafts direct upon its correspondents in London, Paris, Berlin and Stockholm, payable in all parts of the world. It has deposit vaults, with private coupon rooms for box holders.

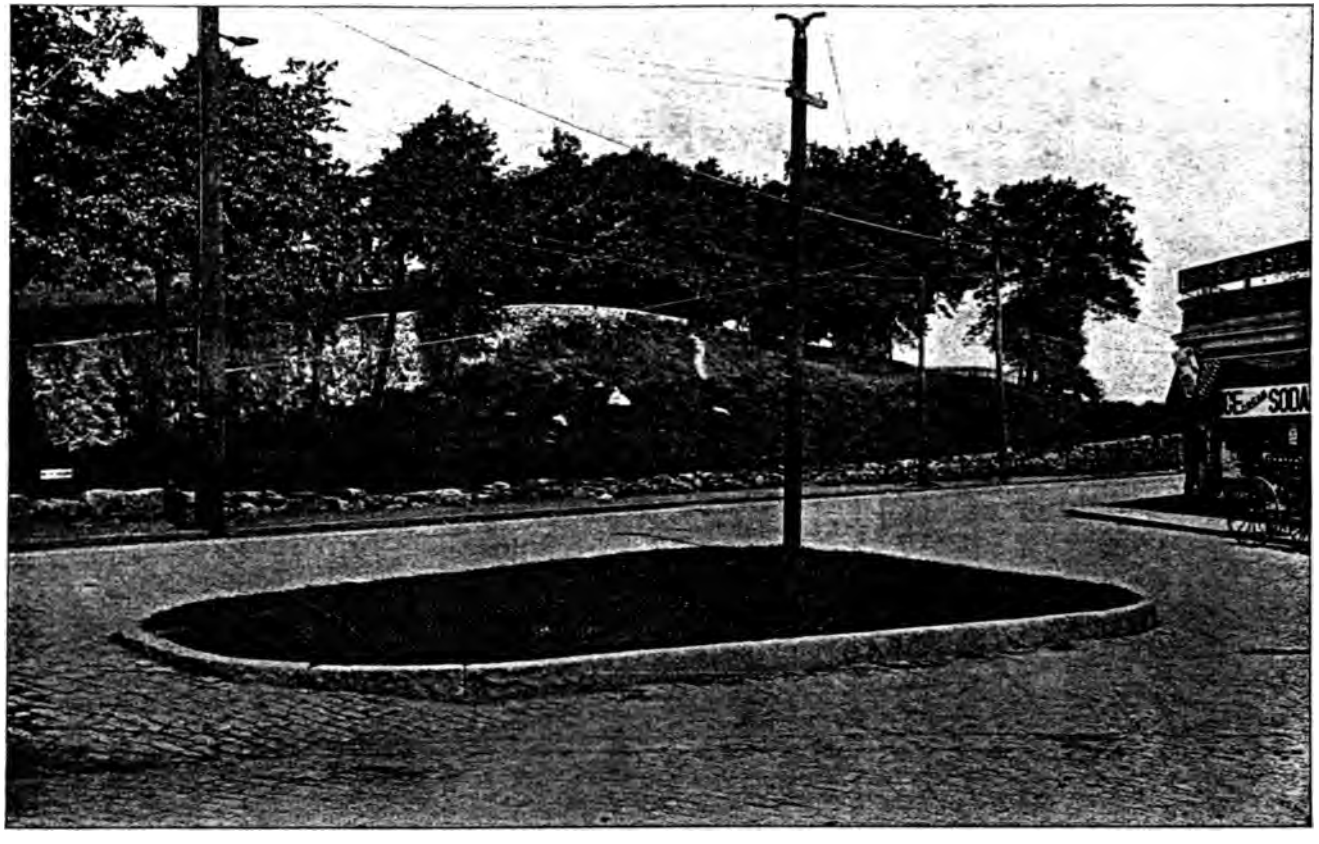
An important feature is the Savings Department of this bank, referred to in its advertisement on page 262.



MIDDELSEX STREET STATION, BOSTON & MAINE RAILROAD.

LOWELL ELECTRIC LIGHT CORP. OFFICE AND PLANT.

VARNUM PARK, FROM CENTRAL BRIDGE.



LINCOLN SQUARE.

LABOR LAWS OF MASSACHUSETTS.

PUBLIC STATUTES OF 1882.

CHAPTER 11.—EXEMPTION FROM TAXATION.

Section 5 (as amended by chapter 169, acts of 1885 and chapter 220, acts of 1894). The following property and polls shall be exempted from taxation:

* * * *

Sixth, The wearing apparel and farming utensils of every person; his household furniture not exceeding one thousand dollars in value; and the necessary tools not exceeding three hundred dollars in value of a mechanic.

* * * *

Tenth, The property, to the amount of five hundred dollars, of a widow or unmarried woman above the age of twenty-one years, of any person above the age of seventy-five years, and of a minor whose father is deceased, whether such property be owned by such person separately, or jointly or as tenant in common with another or others. *Provided*, That the whole estate real and personal of such person does not exceed in value the sum of one thousand dollars exclusive of property otherwise exempted under the provisions of this section; *And provided, further*, That no property shall be so exempted which in the judgment of the assessors has been conveyed to such person for the purpose of evading taxation. * * *

Eleventh, Mules, horses, and neat cattle, less than one year old; and swine and sheep less than six months old; and domestic fowls not exceeding fifteen dollars in value.

* * * *

CHAPTER 16 — CONTRACTOR'S BOND — SECURITY FOR WAGES OF EMPLOYEES ON PUBLIC WORKS.

Sec. 64. When public buildings or other public works upon which liens might attach for labor or materials, if they belonged to private persons, are about to be constructed or repaired for the Commonwealth by contract, the officers or agents contracting in behalf of the Commonwealth shall obtain sufficient security, by bond or otherwise, for payment by the contractor and by all subcontractors for all labor performed or furnished and for all materials used in such construction or repair.

CHAPTER 28.—PAYMENT OF WAGES.

Sec. 12. Cities shall, at intervals not exceeding seven days, pay all laborers who are employed by them at a rate of wages not exceeding two dollars a day, if such payment is demanded.

CHAPTER 31.—BUREAU OF STATISTICS OF LABOR.

Sec. 13. A chief appointed by the governor with the advice and consent of the council, and a first clerk appointed by the chief, shall constitute a bureau of statistics of labor; * *

The bureau shall collect, assort, arrange, and present in annual reports to the general court, on or before the first day of March in each year, statistical details relating to all departments of labor in the Commonwealth, especially in relation to the commercial, industrial, social, educational, and sanitary condition of the laboring classes, and to the permanent prosperity of the productive industry of the Commonwealth.

Sec. 14. The bureau shall have power to send for persons and papers, and to examine witnesses under oath; and such witnesses shall be summoned in the same manner and be paid the same fees as witnesses before the higher courts of the Commonwealth.

Sec. 16. The chief of said bureau may employ such assistants and incur such expense, not exceeding five

thousand dollars in each year, as may be necessary in the discharge of the official duties of said bureau. * * *

Chapter 44—Use of Tools and Cooking To Be Taught in Public Schools.

Sec. 1 (as amended by chapter 69, acts of 1884, and by chapter 320, acts of 1894). * * the use of tools, and cooking, shall be taught, * * in all the public schools in which the school committee deem it expedient.

Chapter 86—Alien Contract Labor.

Sec. 12. Every corporation which brings into this Commonwealth any person not having a settlement therein, or by whose means or at whose instigation any such person is so brought, for the purpose of performing labor for such corporation, shall give a bond to the Commonwealth, to be delivered to the state board [of health, lunacy and charity] in the sum of three hundred dollars, conditioned that neither such person nor any one legally dependent on him for support, shall within two years become a city, town, or state charge.

Chapter 100.—Sale of Liquor to Employees.

Sec. 25. The * * * employer of a person who has or may hereafter have the habit of drinking spirituous or intoxicating liquor to excess, may give notice in writing, signed by him or her, to any person, requesting him not to sell or deliver such liquor to the person having such habit. If the person so notified at any time within twelve months thereafter sells or delivers any such liquor to the person having such habit, or permits such person to loiter on his premises, the person giving the notice may, in an action of tort, recover of the person notified such sum, not less than one hundred nor more than five hundred dollars, as may be sssessed as damages: *Provided*, That an employer giving such notice shall not recover unless he is injured in his person or property. * * *

CHAPTER 102.—INSPECTION OF STEAM ENGINES AND BOILERS.

Sec. 49. The fire commissioners of the city of Boston, the mayor and aldermen of any other city, or the selectmen of a town, or any person by them authorized, may, after notice to the parties interested, examine any steam engine or steam boiler therein, whether fixed or portable; and for that purpose may enter any house, shop, or build-

DONOVAN BUILDING, TOWERS CORNER.

ing; and if upon such examination it appears probable that the use of such engine or boiler is unsafe, they may issue a temporary order to suspend such use; and if after giving the parties interested, so far as known, an opportunity to be heard, they adjudge such engine or boiler unsafe or defective or unfit to be used, they may pass a permanent order prohibiting the use thereof until it is rendered safe. If, after notice to the owner or person

having charge thereof, such engine or boiler is used contrary to either of such orders, it shall be deemed a common nuisance, without any other proof thereof than its use.

Sec. 50. The fire commissioners, mayor and aldermen, and selectmen, may abate and remove a steam engine or steam boiler erected or used contrary to the provisions of the preceding section in the same manner as boards of health may remove nuisances, under sections twenty-one, twenty-two, and twenty-three of chapter eighty.

Sec. 51. No person shall manufacture, set up, use, or cause to be used, a steam boiler, unless it is provided with a fusible safety-plug made of lead or some other equally fusible material, and of a diameter of not less than one-half an inch, placed in the roof of the fire-box, when a fire-box is used, and in all cases in a part of the boiler fully exposed to the action of the fire, and as near the top of the water line as any part of the fire surface of the boiler; and for this purpose Ashcroft's "protected safety fusible plug" may be used.

Sec. 52. Whoever without just and proper cause removes from a boiler the safety-plug thereof, or substitutes therefor any material more capable of resisting the action of the fire than the plug so removed, shall be punished by fine not exceeding one thousand dollars.

Sec. 53. Whoever manufactures, sets up, or knowingly uses or causes to be used for six consecutive days a steam boiler unprovided with a safety fusible plug as described in section fifty-one, shall be punished by fine not exceeding one thousand dollars.

[Note. The above act so far as it affects the city of Boston is repealed by chapter 419, acts of 1892.]

Chapter 106.—Co-operative Associations.

Sec. 9. For the purpose of co-operation in carrying on any business authorized in the two preceding sections [any mechanical, mining or manufacturing business except that of distilling or manufacturing intoxicating liquors, cutting, storing and selling ice, carrying on any agricultural, horti-

cultural or quarrying business, printing and publishing newspapers, periodicals, books or engravings] and of co-operative trade, seven or more persons may associate themselves, with a capital of not less than one thousand nor more than one hundred thousand dollars.

Sec. 72. Every corporation organized for the purpose set forth in section nine shall distribute its profits or earnings among its workmen, purchasers, and stockholders, at such times and in such manner as shall be prescribed by its by-laws, and as often at least as once in twelve months; but no distribution shall be made until at least ten per cent of the net profits has been appropriated for a contingent or sinking fund, until there has accumulated a sum equal to thirty per cent in excess of its capital stock.

Sec. 73. No person shall hold shares in any co-operative association to an amount exceeding one thousand dollars at their par value, nor shall any stockholder be entitled to more than one vote upon any subject.

CHAPTER 106.—CORPORATIONS—LIABILITY OF STOCKHOLDERS FOR DEBTS DUE EMPLOYEES.

Sec. 61. The members or stockholders in any corporation which is subject to this chapter shall be jointly and severally liable for its debts or contracts in the following cases, and not otherwise:—

* * * *

Fourth, For all sums of money due to operatives for services rendered within six months before demand made upon the corporation, and its neglect or refusal to make payment.

* * * *

CHAPTER 112.—SUITS FOR WAGES—RAILROAD EMPLOYEES. (*a*)

Sec. 143. A person to whom a debt is due for labor performed or for materials furnished and actually used in constructing a railroad under a contract with a person other than the owner thereof, having authority from or

rightfully acting for such owner in furnishing such labor or materials, shall have a right of action against such owner to recover such debt with costs, * *

Sec. 145. No such person shall have such right of action for labor performed, unless, within thirty days after ceasing to perform it, he files in the office of the clerk of a city or town in which any of said labor was performed a written statement, under his oath, of the amount of the debt so due him, and of the name of the person or persons for whom and by whose employment the labor was performed. Such right of action shall not be lost by a mistake in stating the amount due; but the claimant shall not recover as damages a larger amount than is named in said statement as due him, with interest thereon.

Sec. 147. No such action shall be maintained, unless commenced within sixty days after the plaintiff ceased to perform such labor or to furnish such materials.

CHAPTER 112.—COLOR-BLINDNESS OF RAILROAD EMPLOYEES.

Sec. 179 (as amended by chapter 125, acts of 1883). No railroad corporation shall employ or keep in its employment, in a position which requires the person employed therein to distinguish form or color signals, any person unless he has been examined for color-blindness or other defective sight by some competent person employed by the corporation, and has received a certificate that he is not disqualified for such position by color-blindness or other defective sight. A railroad corporation shall forfeit one hundred dollars for each violation of the provisions of this section.

CHAPTER 112—RAILROADS—WORKINGMEN'S TRAINS.

Sec. 183. Every railroad corporation whose railroad runs out from Boston shall furnish on each week-day a morning train in and an evening train out for distances not exceeding fifteen miles, or suitable cars attached to other trains, and reaching and leaving Boston at about six o'clock in the forenoon and afternoon, or at such hours as may be fixed by the board; and for such train shall furnish yearly season

tickets at a rate not exceeding three dollars per mile per year good once a day each way for six days in a week, and quarterly tickets not exceeding one dollar per quarter per mile *Provided*, That two hundred or more persons make application therefor.

CHAPTER 112. — LIABILITY OF RAILROAD EMPLOYEES FOR NEGLIENCE.

Sec. 210. When an engineman, fireman, or other agent of a railroad corporation is guilty of negligence or carelessness whereby an injury is done to a person or corporation, he shall be punished by imprisonment not exceeding twelve months, or by fine not exceeding one thousand dollars.

Sec. 211. Whoever, having the management of or control over a railroad train while being used for the common carriage of persons, is guilty of gross carelessness or neglect in or in relation to the management or control thereof, shall forfeit a sum not exceeding five thousand dollars, or be imprisoned not more than three years.

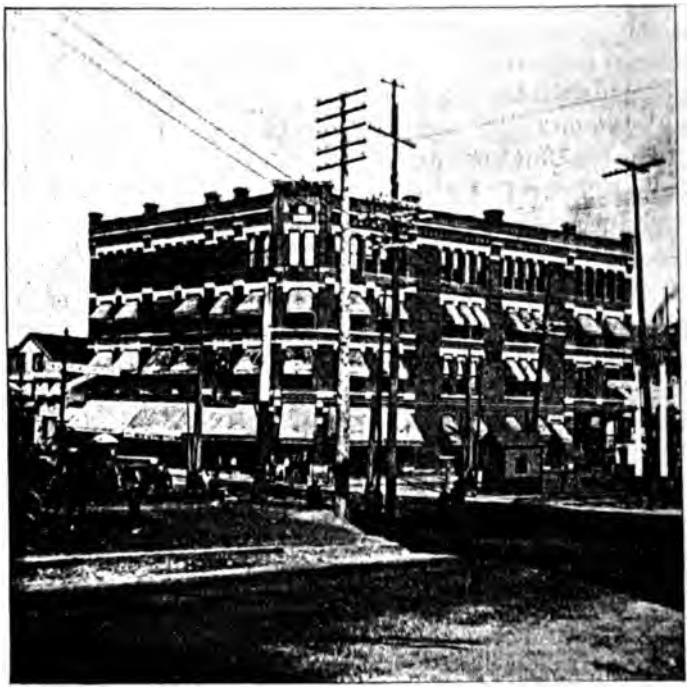
CHAPTER 112.—RAILROAD COMPANIES—WHEN LIABLE FOR DEATH OF EMPLOYES. (*a*)

Sec. 212.—(as amended by chapter 243, acts of 1883). * * if an employee of [a railroad] corporation being in the exercise of due care is killed under such circumstances as would have entitled the deceased to maintain an action for damages against such corporation, if death had not resulted, the corporation shall be liable in the same manner and to the same extent as it would have been if the deceased had not been an employee. * *

CHAPTER 137.—WAGES PREFERRED—IN ADMINISTRATION.

Sec. 1. When the estate of a person deceased is insufficient to pay all his debts, it shall, after discharging the necessary expenses of his funeral and last sickness and the charges of administration, be applied to the payment

of his debts in the following order:—First, Debts entitled to a preference under the laws of the United States. Second, Public rates, taxes, and excise duties. Third, Wages or compensation, to an amount not exceeding one hundred dollars, due to a clerk, servant, or operative, for labor performed within one year next preceding the death of such



RICHARDSON HOTEL.

deceased person, or for such labor so performed for the recovery of payment of which a judgment has been rendered. * *

CHAPTER 147.—EARNINGS OF MARRIED WOMEN.

Sec. 4. All work and labor performed by a married woman for a person other than her husband and children shall, unless there is an express agreement on her part to the contrary, be presumed to be performed on her separate account.

CHAPTER 157.—WAGES PREFERRED—INSOLVENCY.

Sec. 104. In the order for a dividend * * the following claims shall be entitled to priority, and to be first paid in full in their order:—

First, All debts due to the United States, and all debts due to taxes assessed by this State, or any county, city, or town therein.

Second, Wages due to an operative, clerk, or servant, to an amount not exceeding one hundred dollars, for labor performed within one year next preceding the first publication of the notice, or for labor for the recovery of payment for which a suit commenced within one year after the performance thereof is pending, or has terminated within one year from said first publication.

* * * * *

Sec. 105. The estate shall be liable for wages due to an operative from another operative who has contracted or agreed to do certain specified work for the debtor, to the amount of one hundred dollars, for labor actually performed on such work within one year next preceding the first publication of the notice, and in the division of the estate such wages shall have the priority given to wages due to operatives under the provisions of the preceding section; but all payments under the provision of this section shall be charged to the account of the operative who, as principal, has contracted or agreed to do the work, and such payments, and the liability herein imposed, shall not exceed the amount due such principal operative for such work performed within the time hereinbefore mentioned. * * *

CHAPTER 171.—EXEMPTION FROM EXECUTION, ETC.—PERSONAL PROPERTY.

Sec. 34. The following articles of the debtor shall be exempt from execution: viz—

First, The necessary wearing apparel of himself and of his wife and children; one bedstead, bed, and the necessary bedding for every two persons of the family; one iron

stove used for warming the dwelling-house, and fuel not exceeding the value of twenty dollars procured and designed for the use of the family.

Second, Other household furniture necessary for him and his family, not exceeding three hundred dollars in value.

Third, The Bibles, school-books, and library, used by him or his family, not exceeding fifty dollars in value.

Fourth, One cow, six sheep, one swine, and two tons of hay.

Fifth, The tools, implements, and fixtures necessary for carrying on his trade of business, not exceeding one hundred dollars in value.

Sixth, Materials and stock designed and procured by him, and necessary for carrying on his trade or business, and intended to be used or wrought therein, not exceeding one hundred dollars in value.

Seventh, Provisions necessary and procured and intended for the use of the family, not exceeding fifty dollars in value.

* * * * *

Ninth, The boat, fishing tackle, and nets of fishermen, actually used by them in the prosecution of their business, to the value of one hundred dollars.

* * * * *

Twelfth, One sewing-machine, not exceeding one hundred dollars in value, in actual use by each debtor or by his family.

Thirteenth, Shares in co-operative associations * * * not exceeding twenty dollars in value in the aggregate.

CHAPTER 183.—EXEMPTION FROM ATTACHMENT, ETC.—WAGES.

Sec. 29. No person shall be adjudged a trustee by reason of any money or credits which are due for the wages of the personal labor or services of the wife or minor children of the defendant.

Sec. 30. When wages for the personal labor and services of a defendant are attached for a debt or demand other

than for necessaries furnished to him or to his family, there shall be reserved in the hands of the trustee a sum not exceeding twenty dollars, which shall be exempt from such attachment; and when such wages are attached on a demand for such necessaries, there shall be so reserved a sum not exceeding ten dollars.

Sec. 31. When wages for personal labor or services are attached, the defendant may at any time before the entry of the writ tender to the plaintiff or to his attorney the whole amount due and recoverable in the action, with the fees of the officer for serving the writ. When such tender is made, no costs, other than such fees of the officer, shall be recovered by the plaintiff; * * *

Sec. 32. Whoever willfully causes, or aids and abets in causing, wages for personal services, which are exempt from attachment, to be attached by the trustee process for the purpose of unlawfully hindering or delaying the payment of such wages to the person to whom they belong, shall, on complaint of the person injured thereby, or of the guardian or other person having the lawful custody of any such person who is incompetent to act, be punished by fine not exceeding fifty dollars, to be paid to the person so injured.

Sec. 39. No assignment of future earnings shall be valid against a trustee process, unless, before the service of such process upon the alleged trustee, the assignment has been recorded in the office of the clerk of the city or town where the assignor resides at the time of such record; * * *

Sec. 87. If the wages for the personal labor and services of a person are attached by the trustee process on a claim other than for necessaries, and the plaintiff does not recover a sum amounting to five dollars as debt, he shall recover no costs of suit.

Chapter 191.—Mechanics' Liens.

Sec. 1. Any person to whom a debt is due for labor performed or furnished or materials furnished and actually used in the erection, alteration, or repair of a building or

structure upon real estate, by virtue of an agreement with or by consent of the owner of such building or structure of any person having authority from or rightfully acting for such owner in procuring or furnishing such labor or materials, shall have a lien upon such building or structure and upon the interest of the owner thereof in the lot of land upon which the same is situated, to secure the payment of the debt so due to him and of the costs which may arise in enforcing such lien, except as hereinafter provided.

Sec. 2. When the agreement mentioned in the preceding section is for labor performed or furnished upon an entire contract and for an entire price, a lien for the labor alone may be enforced, if it can be distinctly shown what such labor was worth, but in no case shall such lien be enforced for a sum greater than the price agreed upon for the entire contract.

Sec. 3. No lien shall attach for materials furnished unless the person furnishing the same before so doing gives notice in writing to the owner of the property to be effected by the lien, if such owner is not the purchaser of such materials, that he intends to claim such lien.

Sec. 4. The owner of a building or structure in process of erection or of being altered or repaired, if he is a person other than the party by whom or in whose behalf a contract for labor and materials has been made, may prevent the attaching of a lien for labor not at the time performed, or for materials not then furnished, by giving notice in writing to the person performing or furnishing such labor, or furnishing such materials, that he will not be responsible therefor.

Sec. 5. The lien shall not avail or be of force against a mortgage actually existing and duly recorded prior to the date of the contract under which the lien is claimed.

Sec. 6 (as amended by chapter 191, acts of 1892). The lien shall be dissolved unless the person desiring to avail himself thereof, within thirty days after he ceases to labor on or to furnish labor or materials for the building or structure, files in the registry of deeds for the county or district in which the same is situated a statement of a just

and true account of the amount due him, with all just credits given; a description of the property intended to be covered by the lien, sufficiently accurate for identification; and the name of the owner or owners of such property, if known. If a lien is claimed only for labor performed or furnished under an entire contract which includes both labor and materials at an entire price, the contract price, the number of days of labor performed or furnished, and the value of the same shall also be stated. The statement shall be subscribed and sworn to by the person claiming the lien, or by some one in his behalf. But no statement required by this section shall be deemed to be invalid or insufficient solely by reason of any inaccuracy in stating or failing to state the contract price, the number of days of labor performed or furnished and the value of the same: *Provided*, It is shown that there was no intention to mislead, and that the parties entitled to notice of the statement were not in fact misled thereby.

Sec. 7. All statements filed under the preceding section shall remain in the custody of the register for public inspection, and the register shall record them in a book to be kept for the purpose, but shall not be required to record the items of the account contained in the statement further than to record the total amount claimed to be due.

Sec. 8. The validity of the lien shall not be affected by any inaccuracy in the statement relating to the property to be covered by it, if such property can be reasonably recognized from the description, nor by any inaccuracy in stating the amount due for labor or materials, unless it appears that the person filing the statement has wilfully and knowingly claimed more than is his due.

Sec. 9. Unless a suit for enforcing the lien is commenced within ninety days after the person desiring to avail himself thereof ceases to labor on or to furnish labor or materials for the building or structure, the lien shall be dissolved.

Sec. 10. The lien may be enforced by petition to the superior court in the county where the building or structure

is situated. The petition may be filed in term time, or in the clerk's office in vacation, and the date of the filing shall be deemed the commencement of the suit.

Sec. 11. When the amount of the claim does not exceed three hundred dollars, the lien may be enforced by petition to a police, district, or municipal court, or trial justice; and such courts and justices shall have like power and authority within their jurisdiction as are conferred by this chapter upon the superior court, and the parties shall have like rights of appeal as exist in other civil cases.

Sec. 13 (as amended by chapter 344, acts of 1888). The petition shall contain a brief statement of the contract on which it is founded and of the amount due thereon, with a description of the premises subject to the lien and all other material facts and circumstances, and shall pray that the premises may be sold and the proceeds of the sale applied to the discharge of the demand.

Sec. 15. Any number of persons who have actually performed labor on or furnished labor or materials for one or more buildings or structures upon different lots of land, if the labor was performed for the same owner, contractor, or other person may join in the same petition for their respective liens; and the same proceedings shall be had in regard to the rights of each petitioner, and the respondent may defend as to each petitioner, as if he had severally petitioned for his individual lien.

Sec. 16 (as amended by chapter 344, acts of 1888). The court in which the petition is entered, or the clerk thereof when the court is not in sitting, or the justice of said court shall issue a precept to any officer authorized by law to serve such precept commanding him to summon the owner of the building or structure to appear and answer said petition, and also to give notice of the filing of said petition to the debtor when said debtor is not the owner of the building or structure, and to all creditors who have a lien of the same kind upon the same estate. * * * Service of such precept shall be made upon said owner, debtor, and each of said creditors fourteen days at least before the return

day of said precept by serving each with an attested copy of said precept and by posting a like attested copy upon said building or structure. * * *

Sec. 19. At the time assigned for the hearing, or within such further time as the court allows for the purpose, every creditor having a lien under this chapter upon the same property may appear and prove his claim, and the owner and each of the creditors may contest the several claims of every other creditor, and the court shall hear and determine all claims in a summary manner, either with or without a jury, as the case may require.

Sec. 22. The court shall ascertain and determine the amount due to each creditor who has a lien under this chapter upon the property in question, and every such claim due absolutely and without any condition, although not then payable, shall be allowed, with a rebate of interest to the time when it would become payable.

Sec. 23. When the owner fails to perform his part of the contract, and by reason of such failure the other party is, without his own default, prevented from completely performing his part thereof, he shall be entitled to a reasonable compensation for as much as he has performed, in proportion to the price stipulated for the whole, and the court shall adjust his claim accordingly.

Sec. 24. If the lien is established in favor of any of the creditors whose claims are presented, the court shall order a sale of the property to be made by an officer authorized to serve civil process between the parties.

Sec. 35. When there are several attaching creditors, they shall as between themselves be entitled to be paid according to the order of their attachments, but when several creditors who are entitled to the lien provided for in this chapter have equal rights as between themselves, and the fund is insufficient to pay them in full, they shall share the fund equally in proportion to their respective debts.

Sec. 36. If the person, for whom the work is done or the materials are furnished, has an estate for life or any other estate less than a fee simple in the land, or if

MONUMENT SQUARE — CITY HALL IN THE BACKGROUND.

the property is subject to a mortgage or other incumbrance, the lien before provided for shall bind such person's whole estate and interest in the property, and such estate or interest may be sold and applied to the discharge of his debts according to the provisions of this chapter.

Sec. 37. If a person, for whom the work is done or the materials are furnished, dies or conveys away his estate or interest before the commencement of a suit for enforcing the lien, such suit may be commenced and prosecuted against his heirs or against the persons holding the estate or interest which he had in the premises at the time when the labor or materials were performed or furnished; or if a suit has been commenced in the lifetime of such person, it may be prosecuted against his executors, administrators, heirs, or assigns in like manner as if the estate or interest had been mortgaged to secure the debt.

Sec. 46. Nothing contained in this chapter shall be construed to prevent a person entitled to a lien under its provisions from maintaining an action at common law, in like manner as if he had no lien for the security of his debt.

CHAPTER 192.—CONDITIONAL SALE OF PERSONAL PROPERTY.

Sec. 13. When a sale of personal property is made on condition that the title to the property sold shall not pass until the price is paid in full, and the vendor takes from the vendee possession of the property for failure to comply with such condition, the vendee shall have the right, at any time within fifteen days after such taking, to redeem the property so taken by paying to the vendor the full amount of the price then unpaid, together with interest and all lawful charges and expenses due the vendor. This section shall not apply to any sale made before the twenty-eighth day of April in the year eighteen hundred and eighty-one.

CHAPTER 192.—LIENS ON VESSELS, ETC.

Sec. 14. When by virtue of a contract, express or implied, with the owners of a vessel, or with the agents,

contractors, or subcontractors of such owners, or with any of them, or with a person, who has been employed to construct, repair, or launch a vessel or to assist therein, money is due for labor performed, materials used, or labor and materials furnished in the construction, launching, or repairs of, or for constructing the launching ways for, or for provisions, stores, or other articles furnished for or on account of such vessel in this Commonwealth, the person to whom such money is due shall have a lien upon the vessel, her tackle, apparel, and furniture, to secure the payment of such debt, and such lien shall be preferred to all others on such vessel except that for mariner's wages, and shall continue until the debt is satisfied.

Sec. 15. Such lien shall be dissolved unless the person claiming the same files, within four days from the time when the vessel departs from the port at which she was when the debt was contracted, in the office of the clerk of the city or town within which the vessel was at such time, a statement, subscribed and sworn to by him or by some person in his behalf, giving a just and true account of the demand claimed to be due to him, with all just credits, and also the name of the person with whom the contract was made, the name of the owner of the vessel, if known, and the name of the vessel, or a description thereof sufficient for identification; which statement shall be recorded by such clerk in a book kept by him for that purpose, and for such recording the clerk shall receive the same fees as for recording mortgages of equal length.

Sec. 16. If the vessel is partly constructed in one place and partly in another, either place shall be deemed the port at which she was when the debt was contracted within the meaning of this chapter; and the validity of the lien shall not be affected by any inaccuracy in the description of the vessel, if she can be recognized thereby, nor by any inaccuracy in stating the amount due for labor or materials, unless it appears that the person filing the statement has wilfully and knowingly claimed more than is due.

Sec. 17. Such lien may be enforced by petition to the superior court for the county where the vessel was at the

SPRING HOUSE, FORT HILL PARK.

time when the debt was contracted, or in which she is at the time of instituting proceedings. The petition may be entered in court or filed in the clerk's office in vacation, or may be inserted in a writ of original summons with an order of attachment, and served, returned, and entered like other civil actions, and the subsequent proceedings for enforcing the lien shall, except as hereinafter provided, be as prescribed in chapter one hundred and ninety-one for enforcing liens on buildings and land, so far as the provisions of said chapter are applicable. At the time of entering or filing the petition, a process of attachment against such vessel, her tackle, apparel, and furniture, shall issue and continue in force, or may be dissolved like attachments in civil cases, but such dissolution shall not dissolve the lien.

Sec. 18. The petition shall contain a brief statement of the labor, materials, or work done or furnished, or of the store, provisions, or other articles furnished, and of the amount due therefor, with a description of the vessel subject to the lien, and all other material facts and circumstances, and shall pray that the vessel may be sold and the proceeds of the sale applied to the discharge of the demand.

Sec. 19. Any number of persons having such liens upon the same vessel may join in a petition to enforce the same; and the same proceedings shall be had in regard to the respective rights of each petitioner, and the respondent may defend as to each petitioner, in the same manner as if they had severally petitioned for their individual liens.

Sec. 21. When there is money due to more than one person holding a lien upon a vessel under the provisions of this chapter, and all parties interested have been cited to appear and answer, the claims of all shall be marshaled, and the court shall make such order or decree as may be necessary to prevent the enforcement of a double lien for the same labor, materials, stores, provisions, or other articles, and to secure the just rights of all. The proceeds arising from the sale of such vessel, after deducting all proper costs and expenses, shall be distributed among

the several claimants according to the amount of their respective debts, except that, when such proceeds are insufficient to satisfy the liens of all, those having liens for labor shall receive a percentage on their respective claims one-third greater as near as may be, than those having liens for materials, stores, or other articles.

Sec. 22. When a contractor or subcontractor unreasonably neglects or refuses to pay for labor by him procured to be performed in constructing, repairing, or launching a vessel upon which a lien exists therefor, the owner or other person who made the agreement with such contractor or subcontractor may pay the debt secured by the lien, and have the same claim against such contractor or subcontractor as if the lien had been enforced by judgment of court.

Sec. 23. The nine preceding sections shall not affect any lien on foreign vessels existing independent of statute.

CHAPTER 192.—LIENS ON PERSONAL PROPERTY.

Sec. 24 (as amended by chapter 46, acts of 1888). Whoever has a lien, other than those described in chapter one hundred and ninety-one and in the ten preceding sections, for money due to him on account of work and labor, care and diligence, or money expended on or about personal property by reason of any contract express or implied, if such money is not paid within sixty days after a demand in writing delivered to the debtor or left at his usual place of abode, if within this Commonwealth, or made by letter addressed to him at his usual place of abode without the Commonwealth and deposited in the post office to be sent to him, may apply by petition to a police, district, or municipal court, or to a trial justice in the county where the petitioner resides, or has his usual place of business, for an order for the sale of the property in satisfaction of the debt.

Sec. 25. The court of justice shall thereupon issue a notice to the owner of the property to appear at a time and place designated, to show cause why the prayer of the

TYLER PARK — SHOWING OVAL.

petition should not be granted; which notice shall be served by delivering to the owner or by leaving at his usual place of abode, if within the Commonwealth, a copy thereof fourteen days before the day of hearing, and a return of the service shall be made by some officer authorized to serve civil process, or by some other person with an affidavit to the truth of the return.

Sec. 26 (as amended by chapter 173, acts of 1893). If the owner, or the usual place of abode of the owner, is unknown, the application may be made sixty days after the money becomes due, and a notice may issue "to the unknown owner," or to the owner, naming him, "whose usual place of abode is unknown," describing the property. If the owner resides out of the Commonwealth, or he, or his usual place of abode, is unknown, notice may be given by a publication of the order in the manner prescribed for the publication of notices in section seven.

Sec. 27. If the owner makes default at the time appointed, or if upon a hearing of the parties it appears that a lien exists upon the property, and that the property ought to be sold for the satisfaction of the debt, the court or justice may make an order for that purpose, and, if no appeal is taken, the property may be sold in conformity therewith. Any surplus of the proceeds of the sale, after satisfying the debt and all costs and charges shall be paid to the owner upon demand.

Sec. 34. The preceding sections shall not limit or restrict the right of any party having a lien upon property to hold and dispose of the same in any other manner authorized by law.

ACTS OF 1882.

Chapter 244—Railroad and Steamboat Employees—Relief Societies.

Section 1. Seven or more persons within this Commonwealth, employees of any railroad or steamboat corporation existing under the laws of this Commonwealth, who asso-

ciate themselves together by such an agreement in writing as is described in section three of chapter one hundred and fifteen of the public statutes, with the intention of forming a corporation for the purpose of receiving, managing, and applying such property and funds as it may receive by contribution, assessment, or otherwise, or the improvement and benefit of its members and for the relief of its members and their families in case of sickness, injury, inability to labor or other cases of need, and upon complying with the provisions of section four of said chapter shall be and remain a corporation with all the rights, powers, privileges, and immunities, and subject to all the duties, liabilities, and restrictions of corporations organized under said chapter.

Sec. 2. The by-laws of any such corporation shall be approved by the board of railroad commissioners and shall prescribe the manner in which and the officers and agents by whom the purpose of its incorporation may be carried out, and also the manner in which its property may be invested. Such corporation shall make to the board of railroad commissioners annually and as often as required by said board such statements of its membership and financial transactions with other information relating thereto as the said board may deem necessary to a proper exhibit of its business and standing.

Sec. 3. The board of railroad commissioners may verify such statement by an examination of the books and papers of the corporation; and whoever having charge or custody of such books and papers neglects to comply with the provisions of this section and the preceding section shall be punished by a fine not exceeding five hundred dollars.

[The following additional legislation upon the above subject was enacted in chapter 125, acts of 1886.]

Sec. 1. Any railroad corporation operating a railroad or portion of a railroad in this Commonwealth may by vote of its directors associate itself with seven or more of its employees in forming a relief society under the provisions of chapter two hundred and forty-four of the acts of the year eighteen hundred and eighty-two, or may upon the

invitation of any society formed under said act become a member thereof, and may from time to time aid such society by contributions to its funds or otherwise. The by-laws of such society shall provide for the manner in which the railroad corporation shall vote and be represented in said society.

Sec. 2. The funds of such relief society shall not be liable to attachment under trustee process, execution or any other process legal or equitable because of any debt or liability of the railroad corporation or of any member of the society.

ACTS OF 1883.

Chapter 84.—Factories—Bells, Whistles, Etc.

Section 1. Manufacturers and others employing workmen are authorized, for the purpose of giving notice to such employees, to ring bells and use whistles and gongs of such size and weight, in such manner and at such hours as the board of aldermen of cities and the selectmen of towns may in writing designate.

ACTS OF 1884.

Chapter 103. — Free Text Books in Public Schools.

Section 1. The school committee of every city and town shall purchase, at the expense of such city or town, text-books and other school supplies used in the public schools; and said text-books and supplies shall be loaned to the pupils of said public school free of charge, subject to such rules and regulations as to care and custody as the school committee may prescribe.

Sec. 2. Pupils supplied with text-books at the time of the passage of this act shall not be supplied with similar books by the committee until needed.

CHAPTER 184.—EXEMPTION FROM TAXATION.

Sec. 1. All property both real and personal held by the Lynn Workingmen's Aid Association, for the purposes and in accordance with the provisions of the charter of said association, shall be exempt from taxation.

CHAPTER 222.—SAFETY COUPLERS ON FREIGHT CARS.

Sec. 1. Every railroad company operating a railroad or any portion of a railroad, wholly or partly within the State, shall place upon every freight car hereafter constructed or purchased by such corporation, and upon every freight car owned by such corporation, of which the coupler or drawbar is repaired by it, with intent to use such car, such forms or form of automatic or other safety coupler at each end thereof as the board of railroad commissioners may prescribe after examination and test of the same, and the railroad commissioners may annul any recommendation made by them.

Sec. 2. The provisions of this act may be enforced by the supreme judicial court on application of the attorney general.

CHAPTER 255.—CONVICT LABOR.

Sec. 28 (as amended by section 7, chapter 403, acts of 1888). * * * The superintendent of said reformatory, and the general superintendent of prisons, shall endeavor to establish in said reformatory such industries, within the provisions of the requirements of chapter four hundred and forty-seven of the acts of the year eighteen hundred and eighty-seven, as will enable prisoners employed therein to learn valuable trades. * * *

CHAPTER 313.—CONDITIONAL SALE OF PERSONAL PROPERTY (*a*)

Sec. 1. All contracts for the sale of furniture or other household effects made on condition that the title to the property sold shall not pass until the price is paid in full, whether such contract be in the form of a lease or other-

wise, shall be in writing, and a copy therefor shall be furnished the vendee by the vendor at the time of such sale; and all payments made by or in behalf of the vendee, and all charges whether in the nature of interest or otherwise as they accrue, shall be endorsed by the vendor or his agent upon such copy if the vendee so requests. If the vendor fails to comply with any of the provisions of this section through negligence, his rights under such contract shall be suspended while such default continues; and if he refuses, or wilfully or fraudulently fails to comply with any of such provisions he shall be deemed to have waived the condition of such sale.

Sec. 2 (as amended by chapter 411, acts of 1892). The vendor upon taking possession of such furniture or effects for non-compliance with the terms of such contract of sale, shall furnish the vendee or other person in charge of such furniture or effects an itemized statement of the account showing the amount then due thereon; and the fifteen days provided by section thirteen of chapter one hundred and ninety-two of the public statutes during which the vendee shall have the right to redeem the furniture or household effects so taken shall not begin to run until such statement is furnished, provided the vendee or other person in charge can be found by the vendor by the exercise of reasonable care and diligence. And in all cases where seventy-five per centum or more has been paid upon the contract price by the vendee, upon default in the conditions of the lease by the vendee, after the expiration of the fifteen days as now provided by law, for the vendee's equity of redemption, the goods so forfeited shall be sold by the vendor at public auction when the vendee or his legal representative shall request in writing the vendor so to do, and the sale shall be duly advertised in one of the principal newspapers published in the city or town where the goods are situated, or if there is no such paper, in one of the principal newspapers published in such county, notice to be published at least three days prior to the time of the sale, and the balance of the price of said sale, after deducting the balance due the vendor on the contract price and the actual expenses of the auction sale, shall be paid to the vendee or his legal

FORT HILL PARK, SHOWING SHRUBBERY ON MAIN DRIVE.

representatives, and in case the vendor refuses or neglects to sell as provided herein, the right to redeem shall not be deemed to have been foreclosed.

Chapter 320.—Civil Service Law.

Sec. 1. The governor shall with the advice and consent of the council appoint three persons to be civil-service commissioners, who shall serve, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the first day of July in the year eighteen hundred and eighty-four, and until their respective successors are appointed and qualified; and in the year eighteen hundred and eighty-five and in every year thereafter, the governor shall, in May or June, in like manner appoint one person to serve as such commissioner for three years from the first Monday in the July then next ensuing, and until his successor is appointed and qualified. Any vacancy in the office of commissioner shall be filled for the unexpired term by appointment as above provided. All appointments, both original and to fill vacancies, shall be so made that not more than two commissioners shall at the time of any appointment, be members of the same political party. The governor may also, with the advice and consent of the council, remove any commissioners. Each commissioner shall be paid five dollars for each day's service, and his travelling and other necessary expenses in the discharge of his official duty.

Sec. 2. The said commissioners shall prepare rules not inconsistent with existing laws or with the provisions of this act, and adapted to carry out the purposes thereof, for the selection of persons to fill offices in the government of the Commonwealth, and of the several cities thereof, which are required to be filled by appointment, and for the selection of persons to be employed as laborers or otherwise in the service of the Commonwealth and of the several cities thereof. All rules so prepared shall be subject to the approval of the governor and council, and they may, with like approval, be from time to time altered or rescinded. The said commis-

sioners shall supervise the administration of the rules so established; they shall from time to time suggest to the general court such legislation as may seem to them to be desirable for the efficient carrying out of the principles of this act, and for the improvement of the civil service; and they shall, on or before the tenth day of January in every year, report to the general court their doings during the preceding year, including any rules adopted under the provisions of this section.

Sec. 3. No person habitually using intoxicating beverages to excess, shall be appointed to, or retained in any office, appointment or employment to which the provisions of this act are applicable; nor shall any vendor of intoxicating liquors be so appointed or retained.

Sec. 4 (as amended by chapter 334, acts of 1888.) No person shall be appointed to, or employed in, any office to which the provisions of this act are applicable, within one year after his conviction of any offense against the laws of this commonwealth.

Sec. 5. No recommendation of any person who shall apply for office or place under the provisions of this act, which may be given by any senator, member of the house of representatives, alderman or councilman, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any appointment under this act.

Sec. 6. No councilor, senator, representative, alderman, or councilman, or any officer or employee of either of said bodies, and no executive or judicial officer of the State, and no clerk or employee of any department or branch of the government of the state, and no executive officer, clerk, or employee of any department of any city government shall personally directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever; but this shall not be construed to forbid such persons to be members of political organizations or committees.

Sec. 7. No person shall in any room or building occupied for the discharge of official duties by any officer or em-

PENNIMAN PARK, COR. LIBERTY AND PINE STREETS.

ployee of the state or any city thereof, solicit in any manner whatever, or receive any contribution of money or any other thing of value for any political purpose whatever.

Sec. 8. No officer or employee of the state, or any city thereof, shall discharge, or promote or degrade, or in any manner change the official rank or compensation of any other officer or employee, or promise or threaten to do so, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose.

Sec. 9. No officer, clerk or other person in the service of the State or of any city thereof shall, directly or indirectly, give or hand over to any other officer, clerk, or person in said service, or to any councilor, senator, member of the house of representatives, alderman, councilman, or commissioner, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever.

Sec. 10. No person in the service of the State or any city thereof, shall use his official authority or influence either to coerce the political action of any person or body or to interfere with any election.

Sec. 11. No person in the public service shall for that reason be under any obligation to contribute to any political fund, or to render any political service, and shall not be removed or otherwise prejudiced for refusing to do so.

Sec. 12. No person while holding any public office or in nomination for, or while seeking a nomination or appointment for any office, shall corruptly use, or promise to use, either directly or indirectly, any official authority or influence (whether then possessed or merely anticipated), in the way of conferring upon any person, or in order to secure or aid any person in securing any office or public employment, or any nomination, confirmation, promotion, or increase of salary, upon the consideration or condition that the vote or political influence or action of the last named person, or any other, shall be given or used in behalf of any candidate, officer, or party, or upon any other corrupt condition or consideration.

Sec. 14 (as amended by chapter 501, acts of 1895). The rules mentioned in section two may be made from time to time, and may be given a general or a limited application, and they shall among other things, provide:

First, For the classification of the offices and employments to be filled.

Second, For open competition and other examinations by which to test applicants for office, or for employment, as to their practical fitness to discharge the duties of the positions which they desire to fill.

Third, For the filling of vacancies in offices in accordance with the results of such examinations and for the selection of persons for public employment in accordance with such results, or by order of application or otherwise, as may seem most desirable to carry out the provisions of this act.

Fourth, For promotions in office on the basis of ascertained merit and seniority in service and examination as may seem desirable. (In all cases where it is practicable vacancies shall be filled by promotion.)

Fifth, For a period of probation before an appointment or employment is made permanent.

Sixth, For giving preference in appointments to office and promotions in office to applicants who served in the army or navy of the United States in time of war and have been honorably discharged therefrom. And it shall be the duty of the civil-service commissioners to cause the names of veterans, who having been examined and found qualified for appointment to the position for which they have applied, to be placed upon the eligible list in the order of their respective standing above the names of all other persons. Such commission shall cause to be certified to the appointing officers, for appointment, the names of veterans in preference to all others so long as there are names of veterans upon the eligible list; and veterans so certified shall be appointed in preference to those who are not veterans. But nothing herein contained shall be construed to prevent the certification and employment of women.

Sec. 15 (as amended by chapter 95, acts of 1893.) Judicial officers and officers who are elected by the people, or a city

council, or whose appointment is subject to confirmation by the executive council of the Commonwealth, or the city council of any city, officers who are elected by either branch of the general court and the appointees of such officers, heads of any principal departments of the Commonwealth or of a city, the employees of the treasurer of the Commonwealth, and of the treasurer and collector of

AMERICAN HOUSE BLOCK.

taxes of any city, two employees of the city clerk of any city, teachers of the public schools, the secretaries and confidential stenographers of the governor or of the mayor of any city, shall not be effected as to their selection or appointment by any rules made as aforesaid, but such rules shall apply to members of the police and fire departments, other than police and fire commissioners and chief marshals, or chiefs of police and fire departments.

Sec. 16. No question in any examination under the rules established as aforesaid shall relate to political or religious opinions or affiliations, and no appointment or selection to an office or for employment within the scope of the rules established as aforesaid, shall be in any manner affected or influenced by such opinions or affiliations. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined, to discharge the duties of the service into which they seek to be appointed. The examination of applicants for employment as laborers shall relate to their capacity for labor, their habits as to industry and sobriety, and the necessities of themselves and their families.

Sec. 17. Every application, in order to entitle the applicant to appear for examination or to be examined, must state the facts on the following subjects: 1. Full name, residence, and post office address. 2. Citizenship. 3. Age. 4. Place of birth. 5. Health and physical capacity for the public service. 6. Right of preference by reason of military or naval service. 7. Previous employment in the public service. 8. Business or employment and residence for the previous five years. 9. Education. Such other information shall be furnished as may reasonably be required touching the applicant's fitness for the public service.

Sec. 18. No person in the public service shall wilfully and corruptly, by himself or in co-operation with one or more other persons, defeat, deceive, or obstruct any person in respect of his or her right of examination; or wilfully, corruptly, or falsely mark, grade, estimate, or report upon the examination or proper standing of any person examined hereunder, or aid in so doing; or wilfully or corruptly make any false representations concerning the same or concerning the person examined; or wilfully or corruptly furnish to any person any special or secret information, for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, being appointed, employed, or promoted.

Sec. 19 (as amended by chapter 253, acts of 1888). All rules established as hereinbefore provided, and all changes therein, shall forthwith be printed for distribution by said commissioners, and a certified copy thereof shall be sent to the mayor of each city to which such rules or changes therein relate, and the same shall be published in one or more newspapers, and in any such publication of rules shall be specified the date, not less than sixty days subsequent to the date of such publication, when such rules shall go into operation, and thereafter all appointments to office and selections for employment shall be made according to said rules in cases to which said rules apply.

Sec. 22. The name and residence of every person appointed, employed, or promoted to or in any position coming within the rules established as herein provided, except laborers together with the name or description of such position and the subsequent rejection or discharge of every such person, shall forthwith be reported to the said commissioners by the officer making such appointment, promotion, rejection, or discharge, or providing such employment.

Sec. 23. The said commissioners shall keep records of all their proceedlngs and of all examinations made by them or under their authority, and all recommendations of applicants for office received by said commissioners or either of them, or by any officer having authority to make appointments to office or to employ laborers, or others coming within the scope of the rules established as aforesaid, shall be kept and preserved, and all such records and recommendations shall, subject to such reasonable regulations as may be approved by the governor and council, be open to public inspection.

Sec. 24. Whoever, after a rule has been duly established and published according to the provisions of this act, makes an appointment to office or selects a person for employment contrary to the provisions of such rule, or wilfully refuses or neglects otherwise to comply with or to conform to the provisions of this act, or violates any of such provisions, shall be liable to a penalty of not less than one hundred nor more than one thousand dollars for each offense.

ACTS OF 1886.

CHAPTER 120.—RAILROADS—BLOCKING OF FROGS, SWITCHES, AND GUARD RAILS.

Section 1. Every railroad corporation, operating a railroad or part of a railroad in this Commonwealth, shall before the first day of January in the year eighteen hundred and eighty-seven, adjust, fill, or block the frogs, switches, and guard rails on its track, with the exception of guard rails on bridges, so as to prevent the feet of its employees from being caught therein. The work shall be done to the satisfaction of the railroad commissioners evidenced by the certificate of their clerk.

Sec. 2. Any railroad corporation failing to comply with the provisions of this act shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

CHAPTER 174.—COLLECTION OF STATISTICS OF MANUFACTURES.

Sec. 1.—It shall be the duty of the bureau of statistics of labor, annually, on or before the fifteenth day of December, to transmit by mail to the owner, operator, or manager of every manufacturing establishment in the Commonwealth, a schedule embodying inquiries as to,—

(1). Name of the individual, firm, or corporation.

(2). Kind of goods manufactured or business done.

(3). Number of partners or stockholders.

(4). Capital invested.

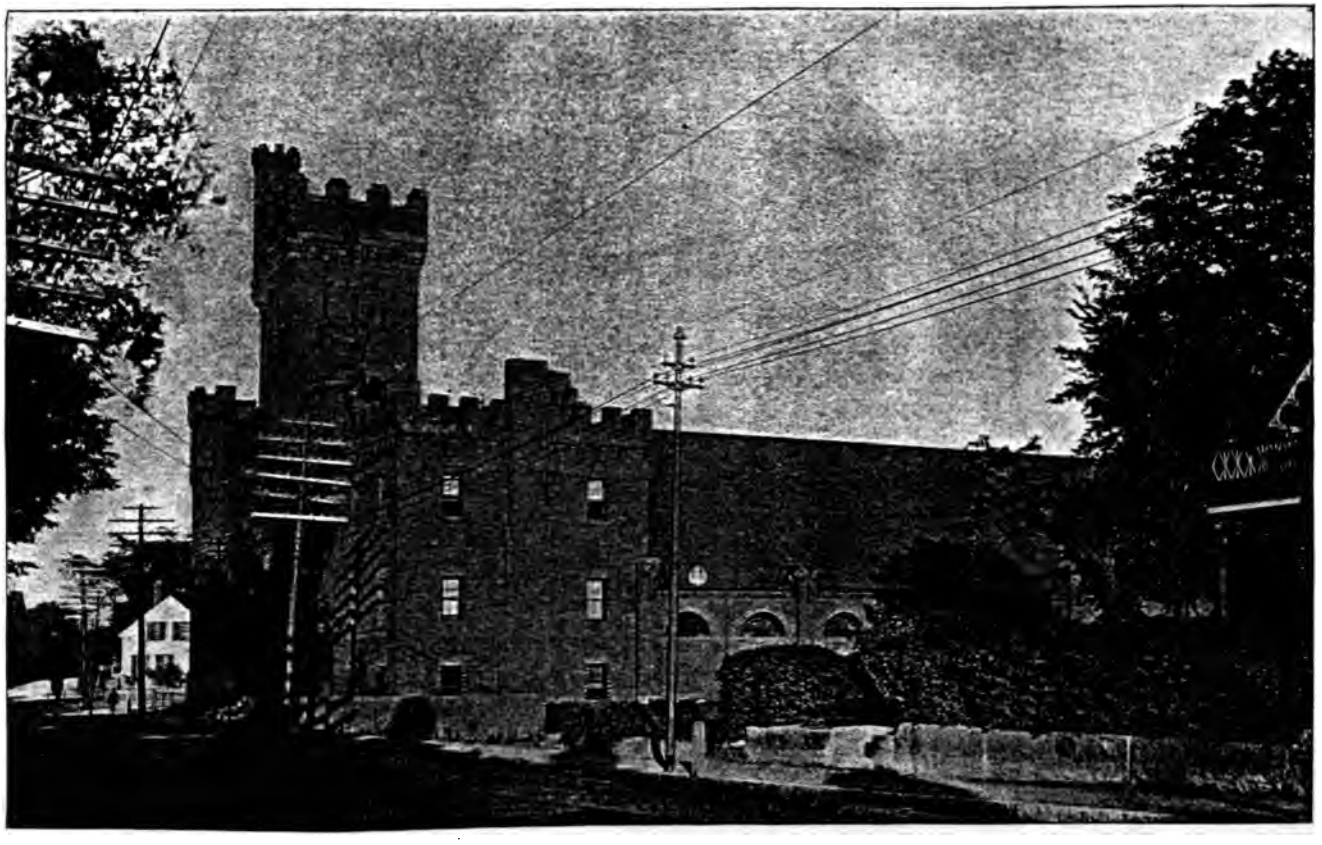
(5). Principal stock or raw material used, and total value thereof.

(6). Gross quantity and value of articles manufactured.

(7). Average number of persons employed, distinguishing as to sex, and whether adults or children.

(8). Smallest number of persons employed, and the month in which such number was employed.

(9). Largest number of persons employed, and the month in which such number was employed.



STATE ARMORY.

(10). Total wages, not including salaries of managers, paid during the year, distinguishing as to sex, adults, and children.

(11). Proportion that the business of the year bore to the greatest capacity for production of the establishment.

(12). Number of weeks in operation during the year, partial time being reduced to full time.

Sec. 2. It shall be the duty of every owner, operator, or manager of every establishment engaged in manufacturing and receiving the foregoing schedule, to answer the inquiries borne thereon for the year ending the thirty-first day of December, or for the last financial year of the establishment, and return said schedule to said bureau, with the answers therein certified as to their accuracy, on or before the twentieth day of January following the receipt of such schedule.

Sec. 3. The said bureau, annually, after it shall have gathered the facts as called for in the previous sections, shall cause to be prepared and printed true abstracts of the same, with proper and comparative analyses thereof, and report the same to the legislature; and such abstracts shall be printed compactly in one volume. * * *

Sec. 4. No use shall be made in said reports of the names of individuals, firms, or corporations supplying the information called for by this act, such information being deemed confidential, and not for the purpose of disclosing any person's affairs, and any agent or employee of said bureau violating this provision shall forfeit a sum not exceeding five hundred dollars, or be imprisoned for not more than one year.

Chapter 194.—Exemption from Attachment—Wages of Seamen.

Sec. 1. No wages or lay due or accruing to any seaman shall be subject to attachment by the trustee process; * * *

[Amended by chapter 289, acts of 1890, as follows: "Chapter one hundred and ninety-four of the acts of the year eighteen hundred and eighty-six, exempting the wages and lay of seamen from attachment by the trustee process, shall not hereafter apply to the wages or lay due or accruing to any fisherman."]

CHAPTER 209.—CORPORATIONS—SPECIAL STOCK FOR EMPLOYEES.

Sec. 1. Every corporation created under the provisions of chapter one hundred and six of the public statutes, by a vote of its general stockholders at a meeting duly called for the purpose, may issue special stock to be held only by the employees of such corporation. The par value of the shares of such special stock shall be ten dollars, and the purchasers thereof may pay for the same in monthly installments of one dollar upon each share. Such special stock shall not exceed two-fifths of the actual capital of the corporation.

Sec. 2. Whenever a dividend is paid by such corporation to its stockholders, the holders of such special stock shall receive upon each share, which has been paid for in full in time to be entitled to a dividend, a sum which shall bear such proportion to the sum paid as a dividend upon each share of the general stock of such corporation as the par value of the shares of such special stock bears to the par value of the shares of such general stock.

Sec. 3. The shares of such special stock shall not be sold or transferred except to an employee of such corporations or to the corporation itself. Any corporation issuing such special stock may provide by its by-laws as to the number of shares which may be held by any one employee, the methods of transfer and the redemption of such stock in case any person holding the same shall cease to be an employee of the corporation.

CHAPTER 263—BOARD OF ARBITRATION AND CONCILIATION.

Sec. 1 (as amended by chapter 269, acts of 1887, and by chapter 261, acts of 1888). The governor, with the advice and consent of the council, shall, on or before the first day of July in the year eighteen hundred and eighty-six, appoint three competent persons to serve as a state board of arbitration and conciliation in the manner hereinafter provided. One of them shall be an employer or selected from some association representing employers of labor, one of them shall be selected from some labor organization and not an

FORT HILL PARK—CROWS' NEST.

employer of labor, the third shall be appointed upon the recommendation of the other two: *Provided, however*, That if the two appointed do not agree on the third man at the expiration of thirty days, he shall then be appointed by the governor. They shall hold office for one year or until their successors are appointed. On the first day of July in the year eighteen hundred and eighty-seven the governor, with the advice and consent of the council, shall appoint three members of said board in the manner above provided, one to serve for three years, one for two years, and one for one year, or until their respective successors are appointed; and on the first day of July in each year thereafter the governor shall in the same manner appoint one member of said board to succeed the member whose term then expires, and to serve for the term of three years or until his successor is appointed. If a vacancy occurs at any time, the governor shall in the same manner appoint some one to serve out the unexpired term; and he may in like manner remove any member of said board. Each member of said board shall, before entering upon the duties of his office, be sworn to a faithful discharge thereof. They shall at once organize by the choice of one of their number as chairman. Said board may appoint and remove a clerk of the board who shall receive such salary as may be allowed by the board, but not exceeding twelve hundred dollars a year.

Sec. 2. The board shall, as soon as possible after its organization, establish such rules of procedure as shall be approved by the governor and council.

Sec. 3 (as amended by chapter 269, acts of 1887). Whenever any controversy or difference, not involving questions which may be the subject of a suit at law or bill in equity, exists between an employer, whether an individual, copartnership, or corporation, and his employees, if at the time he employs not less than twenty-five persons in the same general line of business in any city or town in this Commonwealth, the board shall, upon application as hereinafter provided, and as soon as practicable thereafter, visit the locality of the dispute and make careful inquiry into the cause thereof, hear all persons interested therein who may

come before them, advise the respective parties what, if anything, ought to be done or submitted to by either or both to adjust said dispute, and make a written decision thereof. This decision shall at once be made public, shall be recorded upon proper books of record to be kept by the secretary of said board, and a short statement thereof published in the annual report hereinafter provided for, and the said board shall cause a copy thereof to be filed with the clerk of the city or town where said business is carried on.

Sec. 4 (as amended by chapter 269, acts of 1887 and chapter 385, acts of 1890). Said application shall be signed by said employer, or by a majority of his employees in the department of the business in which the controversy or difference exists, or their duly authorized agent or by both parties, and shall contain a concise statement of the grievances complained of, and a promise to continue on in business or at work without any lockout or strike until the decision of said board, if it shall be made within three weeks of the date of filing said application. When an application is signed by an agent claiming to represent a majority of such employees, the board shall satisfy itself that such agent is duly authorized in writing to represent such employees, but the names of the employees giving such authority shall be kept secret by said board. As soon as may be after the receipt of said application the secretary of said board shall cause public notice to be given of the time and place for the hearing thereon; but public notice need not be given when both parties to the controversy join in the application and present therewith a written request that no public notice be given. When such request is made, notice shall be given to the parties interested in such manner as the board may order, and the board may, at any stage of the proceedings, cause public notice to be given, notwithstanding such request. When notice has been given as aforesaid, each of the parties to the controversy, the employer on the one side, and the employees interested on the other side, may in writing nominate, and the board may appoint, one person to act in the case as expert assistant to the board. The two persons so appointed shall be skilled in and conversant with the business or trade

concerning which the dispute has arisen. It shall be their duty under the direction of the board to obtain and report to the board information concerning the wages paid and the methods and grades of work prevailing in manufacturing establishments within the Commonwealth of a character similar to that in which the matters in dispute may have arisen. Said expert assistants shall be sworn to the faithful discharge of their duty; such oath to be administered by any member of the board, and a record thereof shall be preserved with a record of the proceedings in the case. They shall be entitled to receive from the treasury of the Commonwealth such compensation as shall be allowed and certified by the board, together with all necessary traveling expenses. Nothing in this act shall be construed to prevent the board from appointing such other additional expert assistant or assistants as it may deem necessary. Should the petitioner or petitioners fail to perform the promise made in said application, the board shall proceed no further thereupon without the written consent of the adverse party. The board shall have power to summon as witness any operative in the departments of business affected and any person who keeps the records of wages earned in those departments, and to examine them under oath, and to require the production of books containing the record of wages paid. Summonses may be signed and oaths administered by any member of the board.

Sec. 5. Upon the receipt of such application and after such notice, the board shall proceed as before provided and render a written decision, which shall be open to public inspection, shall be recorded upon the records of the board and published at the discretion of the same, in an annual report to be made to the general court on or before the first day of February in each year.

Sec. 6. Said decision shall be binding upon the parties who join in said application for six months, or until either party has given the other notice in writing of his intention not to be bound by the same at the expiration of sixty days therefrom. Said notice may be given to said employees by posting the same in three conspicuous places in the shop or factory where they work.

Sec. 7 (as amended by chapter 269, acts of 1887). The parties to any controversy or difference as described in section three of this act may submit the matters in dispute, in writing, to a local board of arbitration and conciliation; such board may either be mutually agreed upon, or the employer may designate one of the arbitrators, the employees or their duly authorized agent another, and the two arbitrators so designated may choose a third, who shall be chairman of the board. Such board shall, in respect to the matters referred to it, have and exercise all the powers which the state board might have and exercise, and its decision shall have whatever binding effect may be agreed by the parties to the controversy in the written submission. The jurisdiction of such board shall be exclusive in respect to the matters submitted to it, but it may ask and receive the advice and assistance of the state board. The decision of such board shall be rendered within ten days of the close of any hearing held by it; such decision shall at once be filed with the clerk of the city or town in which the controversy or difference arose, and a copy thereof shall be forwarded to the state board. Each of such arbitrators shall be entitled to receive from the treasury of the city or town in which the controversy or difference that is the subject of the arbitration exists, if such payment is approved in writing by the mayor of such city or the board of selectmen of such town, the sum of three dollars for each day of actual service, not exceeding ten days for any one arbitration. Whenever it is made to appear to the mayor of a city or the board of selectmen of a town that a strike or lockout such as described in section eight of this act is seriously threatened or actually occurs, the mayor of such city or the board of selectmen of such town shall at once notify the state board of the facts.

Sec. 8 (as amended by chapter 269, acts of 1887). Whenever it shall come to the knowledge of the state board, either by notice from the mayor of a city or the board of selectmen of a town, as provided in the preceding section or otherwise, that a strike or lockout is seriously threatened or has actually occurred in any city or town of the Commonwealth, involving an employer and his present or past employees, if at

the time he is employing, or up to the occurrence of the strike or lockout was employing not less than twenty-five persons in the same general line of business in any city or town in the Commonwealth, it shall be the duty of the state board to put itself in communication as soon as may be with such employer and employees, and endeavor by mediation to affect an amicable settlement between them, or to endeavor to persuade them, provided that a strike or lockout has not actually occurred or is not then continuing, to submit the matters in dispute to a local board of arbitration and conciliation, as above provided, or to the state board; and said state board may, if it deems it advisable, investigate, the cause or causes of such controversy and ascertain which party thereto is mainly responsible or blameworthy for the existence or continuance of the same, and may make and publish a report finding such cause or causes and assigning such responsibility or blame. The board shall have the same powers for the foregoing purposes as are given it by section three of this act.

Sec. 9. Witnesses summoned by the state board shall be allowed the sum of fifty cents for each attendance, and the further sum of twenty-five cents for each hour of attendance in excess of two hours and shall be allowed five cents a mile for travel each way from their respective places of employment or business to the place where the board is in session. Each witness shall certify in writing the amount of his travel and attendance, the amount due him shall be paid forthwith by the board, and for such purpose the board shall be entitled to draw from the treasury of the Commonwealth as provided for in chapter one hundred and seventy-nine of the year eighteen hundred and eighty-four.

ACTS OF 1887.

Chapter 263—Labor Day.

Section 1. The first Monday of September in each year, being the day celebrated and known as Labor's Holiday, is hereby made a legal public holiday, to all intents and pur-

poses, in the same manner as Thanksgiving, Fast and Christmas days, the twenty-second of February, the thirtieth day of May, and the Fourth day of July, are now by law made public holidays.

Chapter 270.—Liability of Employer for Injuries of Employees.

Sec. 1 (as amended by chapter 260, acts of 1892, and by chapter 359, acts of 1893, and by chapter 499, acts of 1894). Where, after the passage of this act, personal injury is caused to an employee, who is himself in the exercise of due care and diligence at the time:—(1) By reason of any defect in the condition of the ways, works, or machinery connected with or used in the business of the employer, which arose from or had not been discovered or remedied owing to the negligence of the employer or of any person in the service of the employer and intrusted by him with the duty of seeing that the ways, works, or machinery were in proper condition; or (2) By reason of the negligence of any person in the service of the employer, intrusted with and exercising superintendence, whose sole or principal duty is that of superintendence, or, in the absence of such superintendent, of any person acting as superintendent with the authority or consent of the employer; or (3) By reason of the negligence of any person in the service of the employer who has the charge or control of any signal, switch, locomotive engine, or train upon a railroad, the employee, or in case the injury results in death the legal representatives of such employee, shall have the same right of compensation and remedies against the employer as if the employee had not been an employee of nor in the service of the employer, nor engaged in its work. And in case such death is not instantaneous, or is preceded by conscious suffering, said legal representatives may in the action brought under this section, except as hereinafter provided, also recover damages for such death. The total damages awarded hereunder, both for said death and said injury, shall not exceed five thousand dollars, and shall be apportioned by the jury between the legal representatives

and the persons, if any, entitled under the succeeding section of this act, to bring an action for instantaneous death. If there are no such persons then no damages for such death shall be recovered, and the damages, so far as the same are awarded for said death, shall be assessed with reference to the degree of culpability of the employer herein, or the person for whose negligence he is made liable. A car in use by or in the possession of a railroad company shall be considered a part of the ways, works, or machinery of the company using or having the same in possession, within the meaning of this act, whether such car is owned by it or by some other company or person.

Sec. 2. Where an employee is instantly killed or dies without conscious suffering, as the result of the negligence of an employer, or of the negligence of any person for whose negligence the employer is liable under the provisions of this act, the widow of the deceased, or in case there is no widow, the next of kin, provided that such next of kin were at the time of the death of such employee dependent upon the wages of such employee for support, may maintain an action for damages therefor and may recover in the same manner, to the same extent, as if the death of the deceased had not been instantaneous, or as if the deceased had consciously suffered.

Sec. 3 (as amended by chapter 155, acts of 1888, and by chapter 260, acts of 1892). Except in actions brought by the personal representatives under section one of this act to recover damages for both the injury and death of an employee, the amount of compensation receivable under this act in cases of personal injury shall not exceed the sum of four thousand dollars. In case of death which follows instantaneously or without conscious suffering, compensation in lieu thereof may be recovered in not less than five hundred and not more than five thousand dollars, to be assessed with reference to the degree of culpability of the employer herein, or the person for whose negligence he is made liable; and no action for the recovery of compensation for injury or death under this act shall be maintained, unless notice of the time, place, and cause of the injury is given to the employer within

thirty days, and the action is commenced within one year from the occurrence of the accident causing the injury or death. The notice required by this section shall be in writing, signed by the person injured or by some one in his behalf; but if from physical or mental incapacity it is impossible for the person injured to give the notice within the time provided in said section, he may give the same within ten days after such incapacity is removed, and in case of his death without having given the notice and without having been for ten days at any time after his injury of sufficient capacity to give the notice, his executor or administrator may give such notice within thirty days after his appointment. But no notice given under the provisions of this section shall be deemed to be invalid or insufficient solely by reason of any inaccuracy in stating the time, place, or cause of the injury: *Provided*, It is shown that there was no intention to mislead, and that the party entitled to notice was not in fact misled thereby.

Sec. 4. Whenever an employer enters into a contract, either written or verbal, with an independent contractor to do part of such employer's work, or whenever such contractor enters into a contract with a subcontractor to do all or any part of the work comprised in such contractor's contract with the employer, such contract or subcontract shall not bar the liability of the employer for injuries to the employees of such contractor or subcontractor, by reason of any defect in the condition of the ways, works, machinery, or plant, if they are the property of the employer, or furnished by him, and if such defect arose or had not been discovered or remedied, through the negligence of the employer or of some person intrusted by him with the duty of seeing that they were in proper condition.

Sec. 5. An employee or his legal representatives shall not be entitled under this act to any right of compensation or remedy against his employer in any case where such employee knew of the defect or negligence which caused the injury, and failed within a reasonable time to give, or cause to be given, information thereof to the employer, or to some person superior to himself in the service of the employer, who had intrusted to him some general superintendence.

Sec. 6. Any employer who shall have contributed to an insurance fund created and maintained for the mutual purpose of indemnifying an employee for personal injuries for which compensation may be recovered under this act, or to any relief society formed under chapter two hundred and forty-four of the acts of the year eighteen hundred and eighty-two, as authorized by chapter one hundred and twenty-five of the acts of the year eighteen hundred and eighty-six, may prove, in mitigation of the damages recoverable, by an employee under this act, such proportion of the pecuniary benefit which has been received by such employee from any such fund or society on account of such contribution of said employer, as the contribution of such employer to such fund or society bears to the whole contribution thereto.

Sec. 7. This act shall not apply to injuries caused to domestic servants, or farm laborers, by other fellow employees, * * *

CHAPTER 437.—HONORABLY DISCHARGED SOLDIERS AND SAILORS MAY BE GIVEN EMPLOYMENT WITHOUT CIVIL-SERVICE EXAMINATIONS.

Sec. 1. All persons who served in the army or navy of the United States in the time of the war of the rebellion, and were honorably discharged therefrom, may be preferred for appointment to office or employment in the service of the Commonwealth, or the cities thereof, without having passed any examination provided for by chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, or by the rules of the civil service commission made under the provisions of said act. Age, loss of limb or other physical impairment, which shall not in fact incapacitate, shall not be deemed cause to disqualify under this act. But nothing herein contained shall be construed to prevent such persons from making application for such examination, or from taking such examination, provided they are entitled to do so under the rules of said commission.

CHAPTER 447.—CONVICT LABOR—CONTRACT SYSTEM PROHIBITED, ETC.

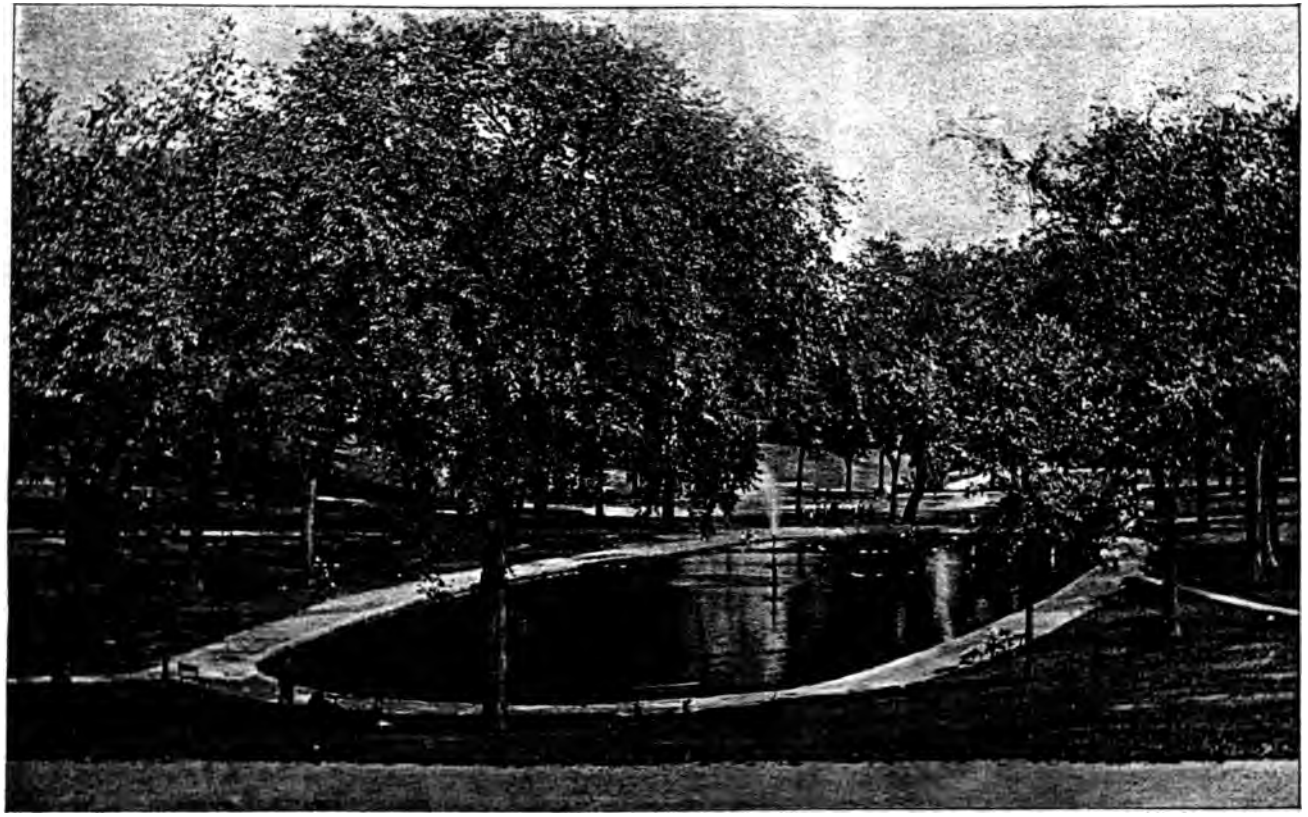
Sec. 1. No contract shall hereafter be made for the labor of prisoners confined in the state prison, reformatories or any of the houses of correction; but such prisoners shall be employed * * * in such industries as shall from time to time be fixed upon * * * . The warden * * * shall purchase such tools and implements as he * * * shall consider necessary for carrying on said industries.

Sec. 2. The warden, superintendent, or master may employ such number of persons as he and said general superintendent shall consider necessary to superintend and instruct said prisoners in said industries * * * .

Sec. 8. The number of prisoners employed in a single industry at the same time in any institution, shall not exceed one-twentieth of the number of persons employed in such industry in the State, according to the classification given in the last census preceding such employment, unless such number is necessary to produce materials to be supplied in state and county institutions as provided in section 13 hereof: * * * but not more than two hundred and fifty prisoners shall be employed in any one industry at the same time.

Sec. 9. The general superintendent or the warden or master under his supervision shall purchase the materials to be used in manufacturing as aforesaid, and sell such manufactured goods as shall be produced in the prison, reformatory, or house of correction. * * *

Sec. 13. The general superintendent shall, as far as may be, have manufactured in the state prison, reformatories, and houses of correction such articles as are in common use in the several state and county institutions. He shall, from time to time, notify the officers of such institutions, having charge of the purchase of supplies, of such goods as he has remaining in hand, and said officers shall, as far as may be, purchase of said articles as are necessary to the maintenance of the institutions which they may represent. The articles



SOUTH COMMON, SHOWING POND.

manufactured in said prison, reformatory, or house of correction shall be sold at the wholesale market price of goods of like kind and grade.

[Added by chapter 22, acts of 1888.]

The words "contract for the labor of prisoners," used in chapter four hundred and forty-seven of the acts of the year eighteen hundred and eighty-seven, shall not be construed as applying to a contract for the manufacture of articles by the piece, under what is known as the "piece-price system," with persons who furnish the materials used in such manufacture. * * *

ACTS OF 1888.

Chapter 134.—Incorporation of Labor Organizations.

Section 1. Seven or more persons within this Commonwealth, who associate themselves together by such an agreement in writing as is described in section three of chapter one hundred and fifteen of the public statutes, with the intention of forming a corporation for the purpose of improving in any lawful manner the condition of any employees in any one or more lawful trades or employments, either in respect to their employment, or by the promotion of education, temperance, morality, or social intercourse, by the payment of benefits to members when sick or unemployed, or to persons dependent upon deceased members, or otherwise, shall, upon complying with the provisions of said chapter one hundred and fifteen of the public statutes and of this act, be and remain a corporation. The provisions of said chapter, so far as not inconsistent with this act, shall apply to corporations formed under this act.

Sec. 2. The commissioner of corporations shall not indorse his approval upon the certificate of organization of any corporation formed under this act unless satisfied that the agreement of association shows that the purpose of such corporation is a lawful one, nor unless satisfied that its by-laws contain no provision contrary to law, and such commissioner may call for the opinion of the attorney-general

thereon; nor shall such commissioner so indorse his approval unless satisfied that the by-laws conform to the requirements of the two following sections of this act.

Sec. 3. The by-laws of every corporation formed under this act shall contain clear and distinct provisions in respect to the following matters: the manner of electing or admitting new members; the manner of expelling members; the officers of the corporation, with their respective titles, duties, powers, and terms of office; the manner of electing and removing such officers; the number of members required to constitute a quorum for the transaction of business; the manner of calling special meetings of the corporation; the manner of rescinding or amending by-laws and making new ones; the purposes for which the funds of the corporation shall be applicable; the purposes for which assessments may be laid upon members; the conditions under which a member or persons dependent on a deceased member, shall be entitled to benefits, if any are to be given by the corporation; the manner in which a fine or forfeiture can be imposed upon a member, if any are to be imposed by the corporation; the manner in which the funds of the corporation are to be held, deposited, or invested; the manner in which the accounts of the treasurer are to be periodically audited; and the manner of voting upon shares of stock, if any capital stock is to be issued by the corporation.

Sec. 4. No by-laws of a corporation formed under this act shall be rescinded or amended, and no new by-law shall be made unless notice of such proposed action has been given at a previous meeting of the corporation, and no such rescinding, amendment, or new by-law shall take effect until approved by the commissioner of corporations as not inconsistent with the provisions of this act. No member of such corporation shall be expelled by vote of less than a majority of all the members thereof, nor by a vote of less than three-quarters of the members present and voting upon such expulsion. Every member of such corporation and every person having an interest in its funds shall be entitled to examine its books and records.

CHAPTER 390.—EXEMPTION FROM SALE FOR TAXES.

Sec. 12. If a person refuses or neglects for fourteen days after demand, to pay his tax, the collector shall, * * * levy the same by distress or seizure and sale of his goods, * * * excepting the following goods: The tools or implements necessary for his trade or occupation; beasts of the plow necessary for the cultivation of his improved land; military arms; utensils for housekeeping necessary for upholding life; and bedding and apparel necessary for himself and family.

CHAPTER 403.—CONVICT LABOR.

Sec. 1. It shall be the duty of the warden of the state prison, the superintendent of the Massachusetts reformatory, the superintendent of the reformatory prison for women, and the masters of the several houses of correction, to establish and maintain in their respective institutions such industries as shall be fixed upon as provided by section one of chapter four hundred and forty-seven of the acts of the year eighteen hundred and eighty-seven.

Sec. 2 (as amended by chapter 371, acts of 1891). The number of persons employed in any industry in the state prison, Massachusetts reformatory, or reformatory prison for women, or in any house of correction, shall not exceed one-twentieth of the number of persons employed in such industry in the State, according to the classification given in the census of eighteen hundred and eighty, unless a larger number is needed to produce articles to be supplied to State and county institutions, as provided in section thirteen of said chapter. If said classification does not give the number employed in any industry in the State, the limit to the number who may be so employed in any institution in any industry shall be as provided by chapter two hundred and seventeen of the acts of the year eighteen hundred and eighty-three: *Provided, however*, That fifty prisoners may be employed in the manufacture of brushes at the house of correction at Cambridge, upon the public account system, so called.

Sec. 3. The tools, implements, and materials needed for use in manufacturing in any institution under the provisions of said chapter four hundred and forty-seven of the acts of the year eighteen hundred and eighty-seven shall be purchased by warden, superintendent, or master of said institution, under the supervision of the general superintendent of prisons, after estimates or requisitions, in such form as said general superintendent shall from time to time require, shall have been approved by him. Such manufactured goods as shall be produced in either of said institutions shall be sold by the principal officer thereof, under such approval of said general superintendent as he shall from time to time require. Said warden, superintendent, or master is authorized to appoint agents who shall, in his behalf, under such rules and regulations as the general superintendent shall from time to time establish, purchase tools, implements, and materials, and sell manufactured goods as aforesaid. The appointment of every such agent shall be subject to the approval of the general superintendent of prisons, but he may be removed at any time without such approval by the officer who appointed him. The compensation of every such agent shall be fixed from time to time by the officer by whom he is appointed, with the approval of said general superintendent. Said general superintendent shall have no authority to purchase or sell any articles for any institution.

Sec. 5. No provision shall be made for the employment of prisoners upon the piece-price plan, as authorized by chapter twenty-two [acts of 1888], except with the approval of the general superintendent of prisons.

ACTS OF 1889.

Chapter 352.—Engineers and Janitors of School Buildings in Boston Placed Under Civil Service Rules.

Section 1. Engineers, janitors, and all persons having charge of steam boilers and furnaces in the school buildings in the city of Boston shall be classified and appointed pur-

suant to the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, entitled, An act to improve the civil service of the Commonwealth and the cities thereof, and the rules of the civil service commissioners made and established thereunder.

Chapter 473.—Honorably Discharged Soldiers and Sailors Preferred in Employment.

Sec. 1 (as amended by chapter 501, acts of 1895). In all cases of certification for appointment of examined persons under the civil service rules in accordance with the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, persons certified who have served in the army or navy of the United States in time of war and been honorably discharged therefrom shall be appointed in preference to other persons certified.

ACTS OF 1890.

Chapter 181.—Street Railway Employees—Relief Societies.

Section 1. The employees of street railway companies shall have all the rights, powers, and privileges granted to employees of railroad and steamboat corporations by the provisions of chapter two hundred and forty-four of the acts of the year eighteen hundred and eighty-two, and all the provisions of said chapter shall be applicable to relief societies established under this act and to the officers and agents thereof.

Sec. 2. Street railway companies shall have all the rights, powers, and privileges which were granted to railroad corporations by the provisions of chapter one hundred and twenty-five of the acts of the year eighteen hundred and eighty-six; and the funds of any relief society established under this act shall be exempt from attachment and other legal process in the same manner and to the same extent as provided in said chapter.

CHAPTER 183.—EMPLOYMENT OF WOMEN AND CHILDREN.

Sec. 1. No corporation or manufacturing establishment in this Commonwealth shall employ any woman or minor in any capacity for the purpose of manufacturing, between the hours of ten o'clock at night and six o'clock in the morning, under the penalty of not less than twenty nor more than fifty dollars for each and every offense.

ACTS OF 1891.

CHAPTER 133.—LICENSING STREET RAILWAY EMPLOYEES.

Sec. 1. The board of aldermen of the city of Salem shall, upon the recommendation of the president, superintendent, or board of directors of any street railway corporation using the streets of said city, issue licenses from time to time to the conductors and drivers of the several street railway corporations, and also to the persons employed to start or despatch the cars of said corporations from the stables, stations, depots, and other places within said city; and said board of aldermen may after due notice and a hearing revoke any such license at any time for sufficient cause. Such licenses shall continue and remain in force until surrendered by the licensee or until revoked by said board of aldermen, and shall contain such provisions and conditions as said board shall determine: *Provided, however*, That the fee to be paid for each license shall not exceed the sum of twenty-five cents.

Sec. 2. A record of the issue, surrender, and revocation of such licenses shall be kept by the city clerk of said city, and shall be open at all times to the inspection of the presidents and superintendents of the several street railways using the streets in said city; and whenever any such license is revoked notice thereof shall be transmitted to the presidents and superintendents of said street railways and to the licensee.

Sec. 3. Said board of aldermen shall require the police officers of said city to observe and direct the persons

NORTH COMMON, LOOKING WESTWARD.

licensed under this act, and to cause them to conform to the laws of the Commonwealth, the ordinances of the city of Salem, and the regulations of the board of aldermen of said city relating to the use of the tracks, the speed of the cars, and especially to the obstructions of public travel by the management of the street cars; said police officers shall secure the necessary testimony and shall report to the board of aldermen every instance of the wilful or persistent violation by any licensee of any such law, ordinance, regulation, or rule, or any refusal to obey the request of said officers respecting the management of any street car.

Sec. 4. Any person who shall act in the capacity of driver, conductor, starter, or despatcher of any street car at any place within the limits of said city without being licensed therefor as herein provided, or who shall act in such capacity in violation of the provisions or conditions or after the revocation of such license, shall forfeit and pay a sum not exceeding ten dollars for each offense.

Sec. 5. No person whose license shall have been revoked pursuant to the provisions of this act shall be reinstated or receive a new license as conductor, driver, starter, or despatcher on any street railway in the city of Salem within a period of one month from the date of the revocation of his license.

Chapter 209 — Convict Labor.

Sec. 1. A prisoner serving a sentence in any state institution shall not be employed outside the precincts of such institution in any mechanical or skilled labor for private parties.

Chapter 228 — Convict Labor — Machinery in State Prisons.

Sec. 1. The warden of the state prison, the superintendent of the reformatory prison for women, the superintendent of the Massachusetts reformatory, and the masters of the house of correction are hereby authorized, after approval of requisitions therefor by the general superintendent of

prisons, to purchase such machinery as may be necessary to replace any that is unfit for use or that may be destroyed by fire or by the malicious acts of prisoners: and also to purchase whatever machinery as may be necessary in establishing new trades or industries in accordance with chapter four hundred and forty-seven of the acts of the year eighteen hundred and eighty-seven.

ACTS OF 1892.

Chapter 270.—Right of Action For Payment of Labor on Public Works.

Section 1. A person to whom a debt is due for labor performed in constructing any building, sewer, drain, waterworks or other public works owned by a city or town, under a contract with any person other than such city or town having authority from or rightfully acting for such city or town in furnishing such labor, shall have a right of action against such city or town to recover such debt with costs, except as hereinafter provided.

Sec. 2. No person who has contracted to furnish labor in such construction, other than his own, shall have such right of action by virtue of this act.

Sec. 3. No such person shall have such right of action for labor performed, unless within thirty days after ceasing to perform it he files in the clerk's office of the city or town against which he claims such right of action, a written statement, under his oath, of the amount of the debt so do him, and the names of the parties or persons for whom and by whose employment the labor was performed. Such right of action shall not be lost by a mistake in stating the amount due, but the claimant shall not recover as damages a larger amount than is named in said statement as due him, with interest thereon.

Sec. 4. No such action shall be maintained unless commenced within sixty days after the plaintiff ceased to perform such labor.

CHAPTER 382—BOARD OF ARBITRATION AND CONCILIATION.

Sec. 1. In all controversies between an employer and his employees in which application is made to the state board of arbitration and conciliation, as provided by section four of chapter two hundred and sixty-three of the acts of the year eighteen hundred and eighty six as amended by section three of chapter 269 of the acts of the year eighteen hundred and eighty-seven, and by section one of chapter three hundred and eighty-five of the acts of the year eighteen hundred and ninety, said board shall appoint a fit person to act in the case as expert assistant to the board. Said expert assistants shall attend the sessions of said board when required, and no conclusion shall be announced as a decision of said board, in any case where such assistants have acted, until after notice given to them, by mail or otherwise, appointing a time and place for a final conference between said board and expert assistant on the matters included in the proposed decision. Said expert assistants shall be privileged to submit to the board, at any time before a final decision shall be determined upon and published, any facts, advice, arguments, or suggestions which they may deem applicable to the case. They shall be sworn to the faithful discharge of their duties by any member of said board, and a record thereof shall be preserved with the record of the proceedings in the case. They shall be entitled to receive for their services from the treasury of the Commonwealth the sum of seven dollars for each day of actual service, together, with all their necessary traveling expenses.

CHAPTER 413.—APPOINTMENT OF NON-RESIDENTS AS SPECIAL POLICE OFFICERS UNLAWFUL.

Sec. 1. Whenever in case of emergency special officers are appointed, whether under the name of police officers or any other name, to act in the capacity of police officers for quelling a riot or disturbance, or for protecting property, no person shall be so appointed who is not a resident of this Commonwealth. But this section shall not prevent the

appointment of a person not a resident of this Commonwealth to act in the capacity of a police officer for protecting the property of a person or corporation of whom or of which he is a regular employee.

Sec. 2. Any person or corporation may at any time, in case of danger to his or its property, call upon the regularly constituted police authorities in this Commonwealth for assistance in the protection of the same, and nothing in this chapter shall in any way limit or diminish such right. But no private individual or corporation shall request or authorize any person or body of persons non-residents of this Commonwealth, other than regular employees, to assist such corporation with arms in the defense of its property, and no such request or authorization shall operate as a justification of any assault or attack made by a non-resident with arms upon any person in this Commonwealth. If a private corporation or an individual who is an employer of labor, requests or authorizes persons to render assistance in violation of this section, such corporation or individual and each and every person rendering such assistance with arms shall be severally liable to each individual injured in person or property by any act of such non-resident for the damages resulting from such injury, to be recovered in an action of tort.

Chapter 419.—Factories, Tenement Houses, Etc., Inspection, Etc., of, in Boston.

Sec. 1 (as amended by chapter 443, acts of 1894). There shall be in the city of Boston a department, to be called the inspection of buildings department, which shall be furnished, at the expense of the city, with office room and such supplies for the transaction of its business as the city council may provide. The compensation of its officers shall be provided for by said city by ordinance.

Sec. 2. The chief officer of said department shall be called the inspector of buildings, and shall be either an architect, builder, or civil engineer, and shall be appointed by the mayor and confirmed by the board of aldermen. He shall hold office for the term of three years or until his suc-

cessor shall be appointed and confirmed, but may be removed by the mayor for malfeasance, incapacity, or neglect of duty.

Sec. 3. The other officers of said department shall consist of a clerk and such number of assistant inspectors and civil engineers as the city council may from time to time by ordinance determine. All of said officers shall be appointed by the inspector, with the approval of the mayor, and shall hold office during good behavior; but may be removed by the inspector, with the approval of the mayor, for malfeasance, incapacity, or neglect of duty.

Sec. 4. None of the aforesaid officers of the department shall be employed or engaged in any other business, or be interested in any contract for building or for furnishing materials to be used for building in the city of Boston.

Sec. 5. In case of the temporary absence or disability of the inspector he may appoint one of the assistant inspectors as his deputy, and such deputy shall, during such absence or disability, exercise all the powers of the inspector. The clerk of the department shall, under the direction of the inspector, have supervision and direction of the other officers and employees of said department.

Sec. 17 (as amended by chapter 443, acts of 1894). In this act the following terms shall have the meanings respectively assigned to them: "Alteration" means any change or addition. "Building of the first class" means building of fireproof construction throughout. "Building of the second class" means all buildings not of the first class, the external and party walls of which are of brick, stone, iron, or other equally substantial and incombustible material. "Building of the third class" means any building not of the first or second class. "Cellar" or "basement" is a lower story of which one half or more of the height from the cellar bottom to the under side of the floor joists of the story above is below the grade of the street or ground at the principal front of the building, provided said grade of the ground is not below the grade of the street at said front. "Foundation" means that portion of a wall below the level of the street curb, and where the wall is not on a street, that portion of the wall below the level of the highest ground next to

the wall; but if under party or partition walls, may be construed by the inspector to mean that portion below the cellar floor. "Height of a building" means the vertical distance of the highest point of the roof above the highest grade of the street or ground at the principal front of the building, provided said grade of the ground is not below the grade of the street at said front. "Height of a wall" means the height from the mean grade of the sidewalk or adjoining ground to the highest point of the wall. "Inspector" means the inspector of buildings of the city of Boston. "Lodging house" means a building in which persons are accommodated with sleeping apartments, and includes hotels and apartment houses where cooking is not done in the several apartments. "Party wall" means every wall used, or built in order to be used, as a separation of two or more buildings. "Partition wall" means any interior wall of masonry in a building. "External wall" means every outer wall or vertical enclosure of a building other than a party wall. "Repairs" means the reconstruction or renewal of any existing part of a building, or of its fixtures or appurtenances, by which the strength or fire risk is not affected or modified, and not made, in the opinion of the inspector, for the purpose of converting the building in whole or in part to a new one. "Story of a building" means that portion of the building between the level of the bottom of the floor beams and the top of the ceiling beams of that story. "Tenement house" means a building which, or any portion of which, is occupied, or intended to be occupied, as a dwelling by more than three families living independently of one another, and doing their cooking upon the premises; or by more than two families above the second floor, so living and cooking. "Thickness of a wall" means the minimum thickness of such wall. "Theatre" means a building or portion of a building in which it is designed to make a business of the presentation of dramatic, operatic, or other performances or shows for the entertainment of spectators, and having a permanent stage for said performances, which can be used for scenery and other stage appliances.

Sec. 23. A first class building shall consist of noninflammable material throughout, with floors constructed of iron

BELVIDERE PARK, FROM ANDOVER STREET.

or steel beams filled in between with terra cotta, or other masonry arches, except that wood may be used for under and upper floors, window and door frames, sashes, doors, standing finish, hand rails for stairs, necessary sleepers bedded in concrete, and for isolated furring blocks bedded in the plaster. There shall be no air space between the top of any floor arches and the floor boarding, and no air space behind any woodwork.

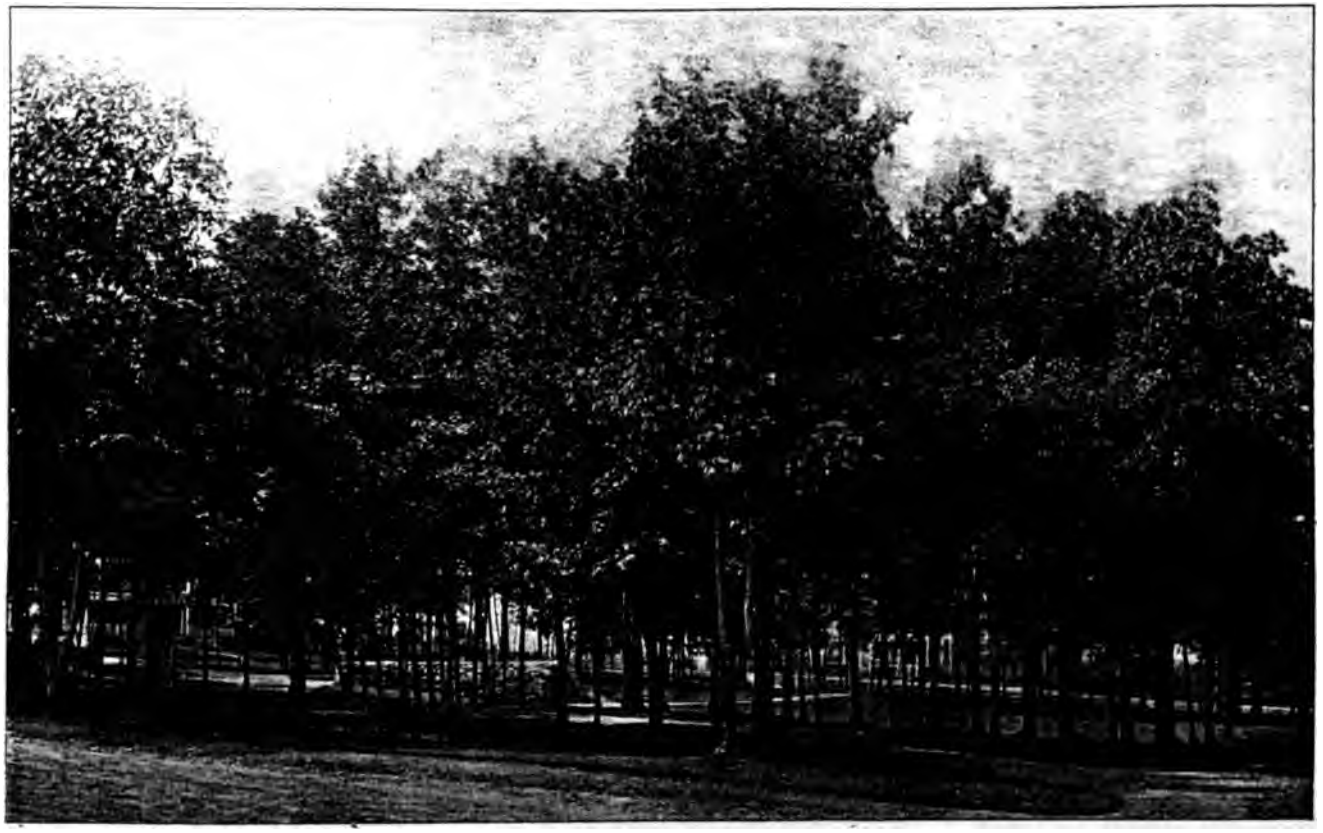
Sec. 56. In every building hereafter built or altered, there shall be posted and maintained in every room used for mechanical or mercantile purposes, the inspector's certificate of the weight bearing capacity of the floor. No part of any floor of such room shall be loaded beyond its capacity as certified.

Sec. 74 (as amended by chapter 464, acts of 1893). No boiler to be used for steam heat or motive power, and no furnace or hot water heater shall be placed on any floor above the cellar floor, unless the same is set on noncombustible beams and arches, and in no case without a permit from the inspector. Every steam boiler in a building to be used for office, mercantile, or manufacturing purposes, or to be used as a lodging or tenement house, shall be enclosed in a fireproof room of brick, terra cotta, stone, iron, or other similar incombustible material, with openings closed by metal covered doors, hung to rabbetted iron frames, or to iron hinges in brick or iron rabbets. No range, stove, oven, or boiler shall be used for cooking in a hotel or restaurant, or for manufacturing purposes, until the same has been examined and approved by the inspector.

See. 77. Elevators or hoists for freight which do not pass the ceiling of the first story may be constructed without fireproof enclosures above the basement. In existing buildings or in buildings hereafter erected in compliance with this act, freight and passenger elevators without fireproof enclosures may be placed in areas or hallways which are continuous and unbroken, no part being separated from another part by an intervening floor; *Provided*, That no additional draft of air is thereby created. In such buildings such elevators may pass through the first floor of any area

or hallway: *Provided*, A fireproof enclosure be carried up to the first floor. Except as above provided, all shafts hereafter built for elevators, hoists, dumb-waiters, lifts, light and ventilating shafts, or other air ducts, shall be constructed of, and if they do not pass the upper floor, their tops shall be covered with some substantial material not inflammable. All such shafts which pass the top floor shall be carried at least eighteen inches above the roof and be covered with a skylight. Such shafts already constructed, except lifts twenty-eight inches square, or of less area and except in dwelling houses to be occupied by not more than one family shall be lined with tin or plastered on wire lathing, or otherwise rendered non-inflammable on the inside. Such shafts hereafter built for freight and passenger elevators shall be of brick at least eight inches thick, or of metal covered on both sides with at least one inch of plaster applied immediately to the metal, or with some other equally substantial non-inflammable non-conducting material. Every entrance opening in a shaft or hoistway within two and one-half feet above the floor shall be protected by sufficient rails, gates, trap-doors or such other device as shall be equivalent thereto. Every elevator shall be provided with some sufficient arrangement to prevent the falling of the car in case of accident. Overhead elevator machinery shall have underneath it a grille sufficient to protect the car from falling material. Every opening into an elevator shaft or hoistway and every opening through a floor other than a stairway, shall be closed when not in use. All inside elevator shaft openings, other than openings in passenger elevator shafts, shall be furnished with metal covered doors hung to rabbeted iron frames, and shall have iron thresholds, and said doors shall be kept closed when not in use. Outside windows or openings of every elevator shaft shall have three vertical iron bars painted red, equally dividing the opening. Every part of any elevator not enclosed in a shaft shall be protected by a wire grille.

Sec. 78. No elevator shall be used in any building until after written approval by the inspector.



TYLER PARK, FROM WESTFORD STREET, SHOWING GROTTO.

Sec. 79. In case any freight or passenger elevator is not constructed and furnished in compliance with this act, or has become unsafe, the inspector shall post a conspicuous warning and prohibition at each entrance to such elevator. It shall thereafter, until a new written permit is given by the inspector, be a penal offense hereunder to operate said elevator, or remove or deface said notice. No freight or passenger elevator shall be operated for more than six months after the date of the inspector's permit, unless a certificate signed by some elevator builder that the elevator is safe and in good order has been furnished within six months, and is posted in the car or at the entrance.

Sec. 80. All buildings over twenty feet high shall have permanent means of access to the roof from the inside. The opening shall be not less than eighteen inches by thirty inches.

Sec. 81. Every building hereafter built, and every building occupied by more than one family, shall have with reference to its height, condition, construction, surroundings, character of occupation, and number of occupants, one or more safe means of egress in case of fire.

Sec. 84. No explosive or inflammable compound or combustible material shall be stored or placed under any stairway of any building, or used in any such place or manner as to obstruct or render egress hazardous in case of fire.

Sec. 85. The platforms, landings, and stairway steps of every fire escape shall be strong enough to carry a load of seventy pounds to the square foot in addition to the weight of material.

Sec. 88. Any building which, by defect, accident, decay, or overloading, is unsafe, shall be vacated forthwith if and when the inspector shall so order, notwithstanding an appeal from such order be pending. The inspector shall affix and maintain on the exterior of every such building a conspicuous notice of its character. The removing or rendering illegible of such notice shall be a penal offense hereunder.

Sec. 106 (as amended by chapter 443, acts of 1894). Every building in the city of Boston hereafter built, any

portion of which is to be occupied above the second story by more than one family, shall be a first or second class building, and every building hereafter erected or enlarged, to be occupied as a lodging house, a tenement house, or dwelling house, with a height of sixty-five feet above the cellar bottom, and every such building when the basement or first story is occupied for other than domestic purposes, shall have the basement and first story constructed in the manner provided for a first class building in section twenty-three of this act.

Sec. 108 (as amended by chapter 239, acts of 1895). No building hereafter erected for or converted to use as a tenement or lodging house, and no building hereafter enlarged for said purposes shall occupy above the level of the second floor more than sixty-five one hundredths parts of the area of the lot measured to the middle line of the street or streets, or passageways, on which it abuts. Every such building shall have on at least two exposures on land of the owner or as part of public ways, open spaces of at least ten feet in width, which spaces shall have an aggregate length of one foot for every twenty-five square feet of superficial area actually occupied by the building. Such spaces shall be open to the sky, and shall remain undiminished so long as the building is occupied as a tenement or lodging house. A clear space open from the ground to the sky shall be maintained across the whole rear of every such building, and of a depth equal to one half of the width of the street in front of such building: *Provided*, That such space need not exceed the depth of twenty feet; *And provided further*, That an equivalent area of open space in the rear of such building may be provided of different dimensions, with the consent of the inspector of buildings.

Sec. 109. Every existing tenement or lodging house shall have in every sleeping room, not communicating directly with the external air, two ventilating or transom windows of not less than six square feet area each, one opening into another room or passage having an external window of not less than six square feet area, with movable sashes. No transom window shall be placed in a partition wall enclosing a main stairway.

Sec. 110. Every room in every tenement or lodging house hereafter built, and in every building hereafter altered to be used as such, shall be not less than eight feet in height in the clear in every story, except that in the attic it may be less than eight feet high for one half the area of the room. Every such room shall have one or more windows on an open air space with an area at least one tenth as great as that of the room. The top of at least one window on such air space in each room shall be at least seven feet six inches from the floor, and the upper sash of the same window shall be movable.

Sec. 111. No building of which any part is used for storage or sale of hay, straw, hemp, flax, shavings, burning fluid, turpentine, camphene, or any inflammable oil, or other highly combustible substance, shall be occupied in any part as a dwelling, tenement, or lodging house, except that rooms for coachman or grooms may be allowed in private stables authorized by this act, upon special permit from the inspector.

Sec. 112. All receptacles for ashes, waste, and other substances, liable, by spontaneous combustion, or otherwise, to cause a fire shall be made of incombustible material satisfactory to the inspector. Every building used as a tenement or lodging house shall have outside and appurtenant to it a suitable space satisfactory to the inspector for the temporary deposit of garbage and other refuse matter.

Sec. 113. Every lodging house containing over fifty rooms above the first floor, and every tenement house containing more than fifty sleeping rooms above the first floor, shall have at least one night watchman exclusively so employed on duty every night from nine o'clock at night until six o'clock in the morning; and every lodging house of the second or third class containing more than one hundred rooms above the first floor, and every tenement house containing more than one hundred sleeping rooms above the first floor, shall have at least two night watchman exclusively so employed on duty every night from nine o'clock at night until six o'clock in the morning. But in the latter class of lodging and tenement houses, a proper system of thermostats,

or automatic fire alarms, approved in writing by the inspector, may be substituted for one of the watchmen. In all lodging or tenement houses of either of the above classes a red light shall be kept burning at night at the head and foot of every flight of stairs, and one or more gongs shall be so placed, and be of such size and number, as to give the alarm throughout the house in case of fire; and in every sleeping room there shall be conspicuously posted directions for escape in case of fire. The inspector may make such other or further requirements for prevention of and escape from fire as may be reasonably necessary under the conditions of each case. Any innholder who fails to comply with the provisions of this section shall thereby forfeit his license.

Sec. 114. Every dwelling, tenement or lodging house, every schoolhouse, and every building where operatives are employed, shall have at least one water-closet or privy, and at least one water-closet or privy for every twenty persons therein living, attending, or employed; and in buildings where operatives of both sexes are employed, separate accommodations shall be furnished for men and women. Privies or cesspools shall not be allowed where a sewer makes water-closets practicable. Every water-closet in every building hereafter erected for, or converted to use as a tenement house, family hotel, or apartment house, shall have a window on the open air.

Sec. 116. No grain elevator, or building for the storing or manufacture of high combustibles or explosives, or for chemical or rendering works, shall be erected, and no engine, dynamo, boiler, or furnace, except exclusively for the heating of, or to raise levators [elevators] in the building in which it is, shall be placed in any building without a permit issued under the provisions of the following sections.

Sec. 120. No person shall carry on the business of plumbing unless he is a plumber and shall have first registered his name and place of business in the office of the inspector of buildings; and notice of any change in the place of business of a registered plumber shall be immediately given to said inspector.

Sec. 121. Every plumber, before doing any work in a building shall, except in the case of the repair of leaks, file at the office of the said inspector, upon blanks for that purpose, a notice of the work to be performed; and no such work shall be done in any building without the approval of said inspector.

Sec. 122. The plumbing of every building shall be separately and independently connected with the public sewer, when such sewer is provided, or with a proper and sufficient drain connected thereto outside of the building; and if a sewer is not accessible, with a proper cesspool.

Sec. 123. Pipes and other fixtures shall not be covered or concealed from view until approved by the inspector, who shall examine the same within two working days after notice that they are ready for inspection.

Sec. 124. Plumbing work shall not be used unless the same has first been tested in the presence of the inspector with the water test, or if that is not practicable, with the peppermint or other reliable test, and approved by him in writing.

Sec. 125. (as amended by chapter 297, acts of 1893). Drain and connecting ventilating pipes shall be of sufficient size, and made of cast iron or standard wrought iron within the building, and for a distance of at least ten feet outside, except that lead pipes may be used for short connections exposed to view. Such pipes, if of wrought iron, shall be of standard weight and strength, and if of cast iron, shall be of uniform thickness throughout, and shall have an average weight not less than that below specified, viz.:—

2-inch pipe	5½	pounds per foot.
3-inch pipe	9½	pounds per foot.
4-inch pipe	13	pounds per foot.
5-inch pipe	17	pounds per foot.
6-inch pipe	20	pounds per foot.
8-inch pipe	33½	pounds per foot.
10-inch pipe	45	pounds per foot.
12-inch pipe	54	pounds per foot.

Drainpipes shall be properly secured by irons to walls, laid in trenches to uniform grade, or suspended to floor

timbers by strong iron hangers. Every drainpipe shall be supplied with a suitable trap, placed with an accessible clean out, at or near the point where it leaves the building, and shall have a proper fall. Drainpipes shall be carried above the roof open and undiminished in size, and to a sufficient height not less than two feet above the roof, and not less than five feet above the top of any window within fifteen feet. Changes in direction shall be made with curved pipes, and all connections with horizontal or vertical pipes shall be made with Y branches. All drainpipes shall be exposed to sight where practicable within the building, and shall not be exposed to pressure where they pass through walls. Every part of every drainpipe below a cellar floor shall be laid in a brick trench with a concrete base, and shall be accessible through sufficient unattached covers.

Sec. 126. Rain water leaders when connected with soil or drainpipes shall be suitably trapped.

Sec. 127 (as amended by chapter 297, acts of 1893). Iron pipes used in plumbing shall, before being put in place, be first tested by the water or kerosene test, and then coated inside and out with coal tar pitch, applied hot, or with paint, or with some equivalent substance. Joints of wrought iron pipes shall be made by screwing the same into double heavy cast iron fittings tapped with standard screw thread; joints of cast iron pipes shall be made by thoroughly caulking the same with molten lead; joints of lead pipes with iron pipes shall be made by soldering the same into brass ferrules, and caulking the ferrules to cast iron pipes or screwing them to wrought iron pipes.

Sec. 128. The waste pipe of each and every sink, basin, bath tub, water-closet, slop hopper, and of each set of trays, or other fixtures, shall be furnished with a separate trap, which shall be placed as near as practicable to the fixture that it serves. Traps shall be protected from siphonage or air pressure by special cast iron air pipes of a size not less than the waste pipes they serve placed outside or below the trap. Lead air pipes may be used only where they are exposed to view. Air pipes for water-closet traps shall be of two inch bore if thirty feet or less in length, and of three

inch bore if more than thirty feet in length. Air pipes shall be run as direct as practicable. Two or more air pipes may be connected together or with a drainpipe; but in every case of connection with a drainpipe such connection shall be above the upper fixture of the building.

Sec. 129. Drip or overflow pipes, from safes under water-closets and other fixtures, or from tanks, cisterns, shall be run to some place in open sight, and in no case shall any such pipe be connected directly with a drainpipe. No waste pipe from a refrigerator, or other receptacle in which provisions are stored, shall be connected with a drainpipe or other waste pipe.

Sec. 130. Every water-closet, or line of water-closets on the same floor, shall be supplied with water from a tank or cistern, and shall have a flushing pipe of not less than one inch in diameter; but this requirement shall not apply to waterclosets substituted for vaults, where the same are located outside of the building proper; and such water-closets may be arranged so as to receive their supply directly from the main, with proper fixtures approved by the inspector, the water board, and the board of health.

Sec. 131. Every privy vault shall be of brick and cement, of a capacity not less than eighty cubic feet, of easy access, convenient to open and clean, and made tight. The inside shall be at least two feet from the next lot, and from any public or private way.

Sec. 132. No steam exhaust shall be connected with any public sewer or with any soil or waste pipe or drain which communicates with a public sewer.

ACTS OF 1893.

Chapter 208.—Free Evening Lectures.

Section 1. The school committees of cities and towns maintaining free evening schools are hereby authorized to employ competent persons to deliver lectures, on the natural sciences, history, and kindred subjects, in such places as said committees may provide.

Sec. 2. Said committees are hereby authorized to provide cards or pamphlets giving the titles and names of authors of books of reference, contained in the local public libraries, on the subject-matter of said lectures.

CHAPTER 293.—FACTORIES AND WORKSHOPS—FIRE ESCAPES.

Sec. 1. No building two stories or more in height, hereafter erected in the city of Boston, and no such building in said city not used at the passage of this act as a schoolhouse, church, theatre, public building, hall, place of assembly, or public resort, tenement house, boarding house, or lodging house, or as a factory or workshop where ten or more persons are employed, or used above the second story as a dwelling by two or more families, shall be used for any of said purposes unless such building is provided with at least two independent and sufficient ways of egress. One of said ways of egress shall consist of a flight of stairs extending from the lowest to the highest floor, made of fireproof material and enclosed in brick walls, with the enclosed space or stairway provided with a ventilating skylight which can be opened and closed from every floor, and having no opening other than for said skylight, and for doors from apartments and corridors. The other way of egress shall be a flight of stairs approved by the inspector of buildings, and may project over a public way. Every way of egress from every such building shall be kept in good repair and unobstructed.

CHAPTER 417.—TIME TO VOTE TO BE ALLOWED EMPLOYEES.

Sec. 7. No person entitled to vote at a state election shall, upon the day of any such election, be employed in any manufacturing, mechanical, or mercantile establishment, except such establishment as may lawfully conduct its business on Sunday, during the period of two hours after the opening of the polls in the voting precinct or town in which he is entitled to vote, if he shall make application for leave of absence during such period.

Sec. 336. An owner, superintendent, or overseer in any manufacturing, mechanical, or mercantile establishment, who employs or permits to be employed any person therein on the day of a state election, in violation of the provisions of section seven of this act, shall be punished by fine not exceeding one hundred dollars.

CHAPTER 417.—PROTECTION OF EMPLOYEES AS VOTERS.

Sec. 337 (as amended by chapter 209, acts of 1894). Whoever by threatening to discharge a person from his employment, or threatening to reduce the wages of a person, or by promising to give employment at higher wages to a person, attempts to influence a qualified voter to give or to withhold his vote at an election, or whoever because of the giving or withholding of a vote at an election discharges from his employment or reduces the wages of a person, and assigns as the reason of said discharge or reduction of wages said giving or withholding a vote, shall be punished by fine not exceeding three hundred dollars, or by imprisonment in jail, not exceeding one year, or by both such fine and imprisonment.

ACTS OF 1894.

CHAPTER 41.—RAILROADS—BLOCKING OF FROGS, SWITCHES, AND GUARD RAILS.

Section 1. Every railroad corporation shall, before the first day of October in the present year, block or cause to be blocked the frogs, switches, and guard rails, excepting guard rails on bridges, in or connected with any and all railroad tracks operated or used by it in this Commonwealth, and shall thereafter keep the same so blocked, by some method or methods approved by the board of railroad commissioners, so as to prevent employees from being caught therein.

Sec. 2. Any railroad corporation neglecting to comply with the provisions of this act shall be punished by a fine of not less than ten or more than one hundred dollars for each offense.

CHAPTER 180.—REGULATIONS OF INTELLIGENCE OFFICES, ETC.

Sec. 1. The keeper of an intelligence office shall not receive or accept any sum of money from a person seeking employment through the agency of such office, unless employment of the kind demanded is furnished.

Sec. 2. If a person receiving employment through the agency of an intelligence office is discharged by his employer within ten days from the time of entering upon such employment, and such discharge is not caused by the inability, incompetency, or refusal of such person to perform the work required, or by other fault of the person employed, the keeper of such intelligence office shall refund to such person on demand five-sixths of any sum paid to such keeper by the employer on account of such employment.

Sec. 3. The officers of towns and cities charged with the duty of granting licenses to keepers of intelligence offices shall cause this act to be printed on each such license. They shall also cause to be prepared and shall furnish to each keeper of a licensed intelligence office copies of this act, printed upon cardboard in type of a size not smaller than pica, and each licensee shall conspicuously post in each room occupied by him for the purpose of such intelligence office, three of said printed copies.

Sec. 4. If a keeper of an intelligence office violates any of the provisions of this act his license shall be revoked, and he shall be punished by fine of not less than twenty-five dollars nor more than fifty dollars for each offense.

CHAPTER 267. — EXTENDING APPLICATION OF CIVIL SERVICE LAW.

Sec. 1. The provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four entitled, "An act to improve the civil service of the

Commonwealth and the cities thereof," and of all acts in amendment thereof and in addition thereto, are hereby extended and made applicable to all towns of the Commonwealth having a population of twelve thousand inhabitants or over.

Sec. 2. This act shall take effect in any such town upon its acceptance by a majority of the legal voters of said town present and voting thereon at a town meeting called for the purpose.

Chapter 315 — Exemption From Taxation.

Sec. 1. The property, to the amount of two thousand dollars, of every soldier or sailor who served in the army or navy of the United States in the war of the rebellion, and was honorably discharged therefrom, and who was disabled in such service by the loss of a hand, arm, foot, or leg, shall be exempt from taxation to the amount of said sum on the property owned in the city or town in which he resides, and who has lost the use of a hand, arm, foot, or leg by reason of disabilities incurred in said service or otherwise.

Chapter 320 — Tools to be Loaned to Pupils of Public Schools.

Sec. 2. In any city or town where instruction shall be given in the use of tools and in cooking in public schools, such tools and the implements and materials required for teaching cooking or the use of tools may be purchased by the school committee, at the expense of such city or town, and shall be loaned to such pupils as may be allowed to use them, free of charge, subject to such rules and regulations as the school committee may prescribe.

Chapter 451. — Convict Labor.

Sec. 1. Whenever the principal officer of any prison or reformatory and the general superintendent of prisons shall consider it expedient to employ the inmates of such institu-

tion, or any part of them, in the manufacture of articles upon the piece-price plan, said officer and superintendent shall advertise for bids for their employment.

Sec. 2. Said bids shall be opened publicly, and said superintendent shall keep a copy and record of all bids. If, in the opinion of said officers, it shall not be expedient to accept any of said bids, contracts may be made with other persons than said bidders, without further advertisement, in the manner now provided by law. Copies of all contracts for the employment of prisoners shall be kept by the general superintendent of prisons, and they shall be open to public inspection at all times.

Chapter 455.—Examination, Licensing, Etc., of Plumbers.

Sec. 1. No person, firm, or corporation shall engage in or work at the business of plumbing, either as a master or employing plumber, or as a journeyman plumber, unless such person, firm, or corporation has received a license or certificate therefor in accordance with the provisions of this act. The words "practical plumber," as used in this act, shall be deemed to mean a person who has learned the business of plumbing, by working for at least two years either as an apprentice or under a verbal agreement for instruction, and who has then worked for at least one year as a first class journeyman plumber. The word "journeyman," as used in this act, shall be deemed to mean one who personally does any work in plumbing which is subject to inspection, under chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-two, or under any ordinance, by-law, rule, or regulation made under the authority of this act.

Sec. 2. Any person not engaged in or working at the business of plumbing prior to the tenth day of July in the year eighteen hundred and ninety-three, and desiring to engage in or work at said business, either as a master or employing plumber, or as a journeyman plumber, shall apply to the board of health having jurisdiction in the locality

where he intends to engage in or work at said business, except in cities or towns where the inspector of buildings has control of the enforcement of the regulations regarding plumbing, where such application shall be made to the inspector of buildings, and shall, at such time and place as may be designated by the board of examiners hereinafter provided for, to whom such applications shall be referred, be examined as to his qualifications for such business. On or before the first day of September in the year eighteen hundred and ninety-four every master or employing plumber, and every journeyman plumber, engaged in or working at the business of plumbing in this Commonwealth prior to the tenth day of July in the year eighteen hundred and ninety-three, and desiring to engage in or work at said business in any city or town where licenses for plumbers are required, shall personally register his name and address, at the office of the board of health or of the inspector of buildings, to whom applications for licenses are to be made in such city or town, and state after being sworn where and how long he has been engaged in or has worked at said business and whether as a master or employing plumber, or as a journeyman plumber. Said board of health or inspector of buildings, if satisfied that the person so registering was actually engaged in or working at said business prior to said date shall thereupon issue to him a certificate, setting forth that he was engaged in or working at the business of plumbing either as a master or employing plumber, or as a journeyman plumber, as the case may be, prior to the tenth day of July in the year eighteen hundred and ninety-three, and authorizing him to engage in or work at said business, either as a master, or employing plumber, or as a journeyman plumber. The fee for a certificate for a master, or employing plumber shall be two dollars; for a journeyman plumber it shall be fifty cents. Said certificate shall be valid and have force throughout the Commonwealth. In the case of a firm or corporation the examination and licensing of, or the registration of and granting a certificate to, any one member of the firm, or the manager of the corporation shall satisfy the requirements of this act.

Sec. 3. There shall be in every city, and in each town of five thousand inhabitants or more, and in each town having a system of water supply or sewerage, a board of examiners of plumbers, consisting of the chairman or such other member of the board of health as said board may designate, and in cities or towns having an inspector of buildings, the inspector of buildings of said city or town, who shall be members ex-officio of said board and serve without compensation, and a third member, who shall be a practical plumber of at least five years' continued practical experience either as a master or as a journeyman during the years next preceding the date of appointment. Said third member shall be appointed by the board of health of said city or town within three months from the passage of this act, for the term of one year from the first day of June, and shall be allowed a sum not exceeding five dollars for each day of actual service, to be paid from the treasury of said city or town: *Provided*, That if in any city or town there is no inspector of buildings, said board of health shall also appoint the second member of said board of examiners, whose term of office and compensation shall be the same as is heretofore provided for said third member.

Sec. 4. Said board of examiners shall, as soon as may be after the appointment of said third member, meet and organize by the selection of a chairman, and shall then designate the time and places for the examination of all applicants desiring to engage in or work at the business of plumbing within their respective jurisdictions. Said board shall examine said applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation, and shall submit the applicant to some satisfactory form of practical test, and if satisfied of the competency of the applicant shall so certify to the board of health or inspector of buildings in their respective city or town. Said board or inspectors shall thereupon issue a license to such applicant, authorizing him to engage in or work at the business of plumbing, either as a master or employing plumber, or as a journeyman plumber. The fee for a license for a master or employing plumber shall be two dollars; for a

journeyman plumber it shall be fifty cents. Said licenses shall be valid and have force throughout the Commonwealth, and shall be renewed annually upon a payment of a fee of fifty cents. In case of removal beyond the jurisdiction of the board or inspector issuing the original license it may be renewed by any board having like authority.

Sec. 5. The board of health, or inspector of buildings where such inspector has control of the enforcement of the regulations regarding plumbing, of each city and town mentioned in section three of this act, shall, within three months from the passage of this act, appoint one or more inspectors of plumbing, who shall be practical plumbers of at least five years' continual practical experience, either as masters or as journeymen, during the years next preceding the date of appointment, and who shall hold office until removed by said board or inspector for cause, which must be shown. All such inspectors shall before appointments be subjected to an examination before the civil service commission. The compensation of such inspectors shall be determined by the board or inspector appointing, them subject to the approval of the city council or selectmen, and shall be paid from the treasury of their respective cities or towns. Said inspectors shall inspect all plumbing work for which permits are hereafter granted within their respective jurisdictions, in process of construction, alteration or repair, and shall report to said board or inspector all violations of any law, ordinance, by-law, rule or regulation relating to plumbing work; and also perform such other appropriate duties as may be required. The approval of any plumbing by any other inspectors than those provided for under this act shall not be deemed a compliance with the provisions thereof.

Sec. 6. No inspector of plumbing in any city or town shall inspect or approve any plumbing work done by himself, or any person by whom he is employed, or who is employed by or with him, but in each city or town subject to the provisions of this act the board of health shall appoint an additional inspector of plumbing, in the same manner and subject to the same qualifications as the regular inspector

of plumbing, whose duty it shall be to inspect, in the manner prescribed in this act, plumbing work done by the regular inspector or any person by whom he is employed, or who is employed by or with him. Said additional inspector shall have authority to act in case of the absence or inability of the regular inspector would for a like duty. The provisions of this section shall not apply to any city or town which has heretofore established or may hereafter establish an annual salary for the position of inspector of plumbing, and in any such city or town no inspector of plumbing shall engage in or work at the business of plumbing.

Sec. 7. Each city or town of five thousand inhabitants or more, and every town having a system of water supply or sewerage, shall by ordinance or by-law, within six months from the passage of this act, prescribe rules and regulations for the materials, construction, alteration and inspection of all pipes, tanks, faucets, valves and other fixtures by and through which waste water or sewage is used and carried; and provide that no such pipes, tanks, faucets, valves or other fixtures shall be placed in any building in such city or town except in accordance with plans which shall be approved by the board of health of such city or town, or the inspector of buildings, where such inspector has control of the enforcement of the regulations regarding plumbing; and shall further provide that no plumbing work shall be done, except in the case of repair of leaks, without a permit being first issued therefor, upon such terms and conditions as such cities or towns shall prescribe. But nothing in this section shall prevent boards of health from making such rules and regulations in regard to plumbing and house drainage hitherto authorized by law, which are not inconsistent with any ordinance or by-law made under the authority of this section by the respective cities or towns within which such boards of health have jurisdiction. The provisions of this section shall not apply to the city of Boston or to any officer or board thereof.

Sec. 8. Any person violating any provision of this act, or any ordinance, by law, rule or regulation made there-

under, shall be deemed guilty of a misdemeanor, and be subject to a fine not exceeding fifty dollars for each and every violation thereof, and if such person has received a license under this act his license may be revoked by the board or inspector issuing the same; and if such violation was committed in a city or town other than that where he received his license, the board of health or inspector of buildings having jurisdiction may forbid him to engage in or work at the business of plumbing for a period not exceeding one year in the city or town where the violation was committed. If any person to whom a certificate has been issued under this act violates any provision thereof, or any ordinance, by-law, rule or regulation made thereunder, either the board of health or inspector of buildings issuing his certificate, or the board of health or inspector of buildings having jurisdiction where such violation was committed, may forbid him to engage in or work at the business of plumbing in such city or town for a period not exceeding one year. Any person engaging in or working at the business of plumbing in any city or town where he has been forbidden so to do under this section shall be deemed guilty of a misdemeanor, and be subject to a fine not exceeding one hundred dollars for every such offense. Any city or town mentioned in section three of this act refusing to comply with any of the provisions of this act shall forfeit the sum of fifty dollars to the use of the Commonwealth for every month during which such neglect may continue.

Sec. 9. The provisions of this act shall apply to all persons who are now or may be hereafter learning the business of plumbing, when they are sent out to do the work of a journeyman plumber.

Sec. 10. Any person now holding an appointment as inspector of plumbing may retain his position, and, without further examination, be deemed to have been appointed under this act.

Sec. 11. The boards of health and inspectors of buildings hereinbefore mentioned may expend such portion of all fees collected by them under this act as shall become necessary to properly perform all duties imposed by the

passage of this act. The said boards or inspectors shall annually, before the first day of June, make a full report in detail to their respective cities or towns of all their proceedings during the year under this act.

Sec. 12. All acts or parts of acts inconsistent herewith are hereby repealed. The provisions of this act so far as they are the same as those of chapter four hundred and seventy-seven of the acts of the year eighteen hundred and ninety-three shall be construed as a continuation of that chapter and not as new enactments.

[Note: See chapter 453 acts of 1895 for further legislation on the subject of this act.]

Chapter 460. — Convict Labor.

Sec. 1. No new contract for the employment of prisoners in the manufacture of reed or rattan goods shall be made until the expiration of existing contracts shall reduce the number so employed to seventy-five, and the general superintendent of prisons shall not thereafter approve contracts for the employment of more than seventy-five prisoners at any one time in the manufacture of such goods, in all the prisons and reformatories.

Chapter 471.—Manual Training in Public Schools.

Sec. 1. After the first day of September in the year eighteen hundred and ninety-five every city of twenty thousand or more inhabitants shall maintain as part of its high school system the teaching of manual training. The course to be pursued in said instruction shall be subject to the approval of the state board of education.

Chapter 481.—Inspection of Factories, Workshops, Etc. (*a*)

Sec. 1. The district police force shall be divided into two departments, which shall be known respectively as the inspection department and the detective department of said force. The inspection department shall consist of twenty-

four male members and two female members, together with the chief of said force; the detective department shall consist of twelve members and said chief. The chief of said district police force shall be the head of each of said departments. No member of the inspection department of said district police force shall be called to perform any other duties than those pertaining to the office of inspector of factories and public buildings, unless his services are commanded by the governor as provided by law in suppressing riots and preserving the peace; but the members of said inspection department shall continue to have and exercise all powers now given by law to members of said district police. Vacancies in either of said departments shall be filled by appointment to the department in which the vacancy occurs.

Sec. 2. Such inspectors shall enforce the provisions of this act, except as herein specifield, and the various provisions of law relating to the employment of women and minors in manufacturing, mechanical, and mercantile establishments, and the employment of children, young persons, or women in factories, or workshops, and the ventilation of factories, or workshops, and the securing of proper sanitary provisions in factories, or workshops, and the making of clothing in unsanitary conditions; and for this purpose the said inspectors may enter all buildings used for public or manufacturing purposes, or for factories, or workshops, examine the methods of protection from accident, the means of escape from fire, the sanitary provisions and the means of ventilation, and may make investigations as to the employment of children, young persons, and women.

Sec. 3. One member of said force shall be detailed to inspect, under the direction of the chief of said force, uninsured stationary steam boilers, and their appurtenances, and to inquire into the ability and competency of the engineers in charge thereof and report to said chief.

Sec. 4. The superior court shall have concurrent jurisdiction with the supreme judicial court of all proceedings under this chapter.

Sec. 5. Any person or corporation aggrieved by the order, requirement, or direction of an inspector given under this act may, within ten days from the day of the service thereof, apply for an injunction against the enforcement of the same to a justice of the superior court; and thereupon, after such notice as the said justice shall order to all parties interested, a hearing may be had before some justice of said court at such early and convenient time and place as shall be fixed by said order, or the said justice may appoint three experts to examine the matter and hear the parties, which experts shall be disinterested persons and skilled in the subject-matter of the controversy; and the decision of said court, or the majority of said experts in writing, under oath, filed within ten days from the date of such hearing in the clerk's office of said court in the county where the subject of the controversy lies, may either alter the order, requirement, or direction of such inspector, annul it in full or affirm the same. A duly certified copy of said decision, so filed as aforesaid, shall have the same authority, force, and effect as the original order of the inspector; and said decision shall have the same authority and effect as the original order, requirement, or direction. If such decision shall annul or alter the order, requirement, or direction of of the inspector, the court shall also enjoin the said inspector from enforcing his order, requirement, or direction, and in every such case the certificate required by section twenty-seven of this act shall thereupon be issued by said justice or by his order, or the said experts appointed by said justice.

Sec. 6. The court may award reasonable compensation to experts appointed under the provisions of this act, to be paid by the county where the subject of the controversy lies, providing the appeal is decided against the order of the inspector; and to be paid by the party taking the appeal in case the order of the inspector is sustained.

Sec. 7. If the order, requirement, or direction of the inspector is affirmed by the court or experts, costs shall be taxed as in civil cases against the party moving for the injunction, such costs to be paid into the treasury of the county where the subject of the controversy lies.

Sec. 8. All manufactures, manufacturing corporations, and proprietors of mercantile establishments shall forthwith send to the chief of the district police a written notice of any accident to an employee while at work in any factory, manufacturing, or mercantile establishment operated by them, whenever the accident results in the death of said employee or causes bodily injury of such a nature as to prevent the person injured from returning to his work within four days after the occurrence of the accident.

Sec. 9. When notice of any accident is sent to the chief of the district police under the provisions of section eight of this act he shall forthwith return to the sender of such notice a written or printed acknowledgment of the receipt of the same.

Sec. 10. The chief of the district police shall keep a record of all accidents so reported to him, together with a statement of the name of the person injured, the city or town where the accident occurred and the cause thereof, and shall include an abstract of said record in his annual report.

Sec. 23. The belting, shafting, gearing, and drums of all factories, when so placed as to be, in the opinion of the inspectors of factories and public buildings, dangerous to persons employed therein while engaged in their ordinary duties, shall be as far as practicable securely guarded. No machinery other than steam engines in a factory shall be cleaned while running, if objected to in writing by one of said inspectors. All factories shall be well ventilated and kept clean.

Sec. 24. Every building now or hereafter used, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, public hall, place of assemblage, or place of public resort, and every building in which ten or more persons are employed above the second story in a factory, workshop, or mercantile or other establishment, and every hotel, family hotel, apartment house, boarding house, lodging house, or tenement house in which ten or more persons lodge or reside above the second story, and every factory, workshop, mercantile, or other establishment the owner, lessee, or occupant of which is notified in writing

by the inspector hereinafter mentioned that the provisions of this act are deemed by him applicable thereto, shall be provided with proper ways of egress, or other means of escape from fire, sufficient for the use of all persons accommodated, assembling, employed, lodging, or residing in such building; and such ways of egress and escape shall be kept free from obstruction, in good repair and ready for use. Every room above the second story in any such building, in which ten or more persons are employed, shall be provided, if the said inspector shall so direct in writing, with more than one way of egress by stairways on the inside or outside of the building, placed as near as practicable at opposite ends of the room; stairways on the outside of the building shall have suitable railed landings at each story above the first, and shall connect with each story by doors or windows, and such landings, doors, and windows shall be kept clear of ice and snow and other obstructions. Women or children shall not be employed in a factory, workshop, or mercantile, or other establishment, in a room above the second story from which there is only one way of egress, if the said inspector shall so direct in writing. All doors and windows in any building subject to the provisions of this section shall open outwardly, if the said inspector shall so direct in writing. * * *

Sec. 25. No building designed to be used, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, public hall, place of assemblage, or place of public resort, and no building more than two stories in height designed to be used above the second story, in whole or in part, as a factory, workshop, or mercantile, or other establishment, and having accommodations for ten or more employees above said story, and no building more than two stories in height designed to be used above the second story, in whole or in part, as a hotel, family hotel, apartment house, boarding house, lodging house, or tenement house, and having ten or more rooms above said story, shall hereafter be erected until a copy of the plans of such building has been deposited with the inspector of factories and public buildings for the district in which such building

is to be located, by the person causing the erection or construction of such building, or by the architect who has drawn such plans, which plans shall include the system or method of ventilation provided for such building, together with a copy of such portion of the specifications of such building as such inspector may require, nor shall any such building be so erected without the provision of sufficient ways of egress and other means of escape from fire, properly located and constructed. The certificate of the inspector above named, endorsed with the approval of the chief of the district police force, shall be conclusive evidence of a compliance with the provisions of this act: *Provided*, That after the granting of such certificate no change is made in the plans or specifications of such ways of egress and means of escape unless a new certificate is obtained therefor. Such inspector may require that proper fire stops shall be provided in the floors, walls, and partitions of such buildings, and may make such further requirements as may be necessary or proper to prevent the spread of fire therein, or its communication from any steam boiler or heating apparatus; and no pipe for conveying hot air or steam in such building shall be placed nearer than one inch to any woodwork, unless protected to the satisfaction of such inspector by suitable guards or casings of incombustible material, and no wooden flue or air duct for heating or ventilating purposes shall be placed in any such building.

Sec. 26. Any person erecting or constructing a building, or any architect or other person who shall draw plans or specifications, or superintend the erection or construction of a building, in violation of the provisions of this act, shall be punished by a fine of not less than fifty nor more than one thousand dollars, and such erection or construction may be enjoined in a proceeding to be had before the superior or supreme judicial court at the instance of the inspector above named, and upon the filing of a petition for such injunction any justice of the court may issue a temporary injunction or restraining order, as provided in proceedings in equity.

Sec. 27. It shall be the duty of such inspectors of factories and public buildings as may be assigned to such duty by

the chief of the district police force to examine, as soon as may be after the passage of this act, and thereafter from time to time, all buildings within his district subject to the provisions of this act. In case any such building conforms, in the judgment of such inspector, to the requirements of this act, he shall issue to the owner, lessee, or occupant of such building, or of any portion thereof used as above mentioned in section twenty-four of this act, a certificate to that effect, specifying the number of persons for whom the ways of egress and means of escape from fire are deemed to be sufficient. Such certificate shall be conclusive evidence, as long as it continues in force, of a compliance on the part of the person to whom it is issued with the provisions of this act; but such certificate shall be of no effect in case a greater number of persons than therein specified are accommodated, or employed, or assembled, lodge or reside, within such building or portion thereof, or in case such building is used for any purposes materially different from those for which it was used at the time of the granting thereof, or in case the internal arrangements of such building are materially altered, or in case any ways of egress or means of escape from fire existing in such building at the time of such granting are stopped up, rendered unavailable or materially changed; and in no case shall such certificate continue in force for more than five years from its date. Such certificate may be revoked by such inspector at any time upon written notice to the person holding the same, or occupying the premises for which it was granted, and shall be so revoked whenever in his opinion any conditions or circumstances have so changed that the existing ways of egress and means of escape are no longer proper and sufficient. A copy of the said certificate shall be kept posted in a conspicuous place upon every floor of such building by the person occupying the premises covered thereby.

Sec. 28. Upon an application being made to an inspector for the granting of a certificate under this act he shall issue to the person making the same an acknowledgment that such certificate has been applied for, and pending the granting or refusal of such certificate such acknowledgment shall

have for a period of ninety days the same effect as such certificate, and such acknowledgment may be renewed by such inspector with the same effect for a further period not exceeding ninety days, and may be further renewed by the chief of the district police force, until such time as such certificate shall be granted or refused.

Sec. 29. In case any change is made in any premises for which a certificate has been issued under this act, whether in the use thereof or otherwise, such as terminates the effect of such certificate, as above provided in section twenty-seven, it shall be the duty of the person making the same to give written notice thereof forthwith to the inspector for the district, or to the chief of the district police.

Sec. 30. In case any building, or portion thereof subject to the provisions of this act is found by an inspector to fail to conform thereto, or in case any change is made in such building or portion thereof, such as terminates the effect of a certificate formerly granted therefor as aforesaid, it shall be the duty of such inspector to give notice in writing to the owner, lessee, or occupant of such building specifying and describing what additional ways of egress or means of escape from fire are necessary in the opinion of such inspector, in order to conform to the provisions of this act, and to secure the granting of a certificate as aforesaid. Notice to any agent of such owner, lessee, or occupant in charge of the premises shall be sufficient notice under this section to such owner, lessee, or occupant.

Sec. 31. In case any building subject to the provisions of this act is owned, leased, or occupied, jointly, or in severalty, by different persons, any one of such persons shall have the right to apply to any part of the outside of such building, and to sustain from any part of the outside wall thereof, any way of egress or means of escape from fire specified and described by an inspector as above provided, notwithstanding the objection of any other such owner, lessee, or occupant; and any such way of egress or means of escape may project over the highway.

Sec. 32. When a license is required by law or municipal ordinance, in order to authorize any premises to be used for

any purpose mentioned in section twenty-four, no license for such purpose shall be granted until a certificate for such building or portion thereof shall first have been obtained from an inspector as above provided, and no such license hereafter issued shall continue in force any longer than such certificate remains in force.

Sec. 33. No wooden flue or air duct for heating or ventilating purposes shall hereafter be placed in any building subject to the provisions of section twenty-four of this act, and no pipe for conveying hot air or steam in such building shall be placed or shall remain placed nearer than one inch to any woodwork, unless protected to the satisfaction of the said inspector by suitable guards or casings of incombustible material.

Sec. 34. Every story above the second of a building subject to the provisions of section twenty-four of this act shall be supplied with means of extinguishing fire, consisting either of pails of water or other portable apparatus, or of a hose attached to a suitable water supply and capable of reaching any part of such story; and such means of extinguishing fire shall be kept at all times ready for use and in good condition.

Sec. 35. It shall be the duty of such members of the inspection department of the district police force as may be assigned to such duty by the chief of such force to enforce the provisions of sections twenty-four to thirty-four inclusive of this act, outside of the city of Boston; and for such purpose such inspectors shall have the right of access to all parts of any building subject to the provisions of said sections.

Sec. 36. Cities may by ordinance provide that the provisions of said sections twenty-four to thirty-four inclusive of this act shall apply to any buildings of three or more stories in height within their respective limits.

Sec. 37. It shall be the duty of every person or corporation, being the owner, lessee, or occupant of a factory, workshop, or manufacturing establishment, or owning or controlling the use of any building or room mentioned in and subject to sections twenty-four to thirty-four inclusive

of this act, to cause the provisions thereof to be carried out; and such person or corporation shall be liable to any person injured for all damages caused by a violation of the provisions of this act. No criminal prosecution shall be made for such violation until four weeks after notice in writing by an inspector of factories and public buildings of any changes necessary to be made to comply with and conform to the provisions of said sections twenty-four to thirty-four inclusive, has been sent by mail or delivered to such person or corporation, nor then, if in the meantime such changes have been made in accordance with such notification. Notice to one member or a firm or to the clerk or treasurer of a corporation, or to the person in charge of the premises shall be deemed sufficient notice hereunder to all members of such firm, or such corporation owning, leasing, or controlling the premises. Such notice may be given to them in person or sent by mail.

Sec. 38. Any person using or occupying a building contrary to the provisions of this act may be enjoined from such use or occupation in a proceeding to be had before the superior court or supreme judicial court at the instance of the inspector, and upon the filing of a petition therefor any justice of the court in which such proceeding is pending may issue a temporary injunction or restraining order, as provided in proceedings in equity.

Sec. 39. Sections twenty-four to thirty-eight inclusive of this act shall not apply to the city of Boston.

Sec. 41. The openings of all hoistways, hatchways, elevators, and well holes upon every floor of a factory or mercantile or public building shall be protected by good and sufficient trapdoors, or self-closing hatches, and safety catches, or such other safeguards as the inspectors of factories and public buildings direct; and all due diligence shall be used to keep such trapdoors closed at all times, except when in actual use by the occupant of the building having the use and control of the same.

Sec. 42. All elevator cabs or cars, whether used for freight or passengers, shall be provided with some suitable mechanical device, to be approved by the inspectors of fac-

tories and public buildings, whereby the cabs or cars will be securely held in event of accident to the shipper rope or hoisting machinery, or from any similar cause.

Sec. 43. If any elevator, whether used for freight or passengers, is, in the judgment of the inspector of factories and public buildings of the district in which such elevator is used, unsafe, or dangerous to use, or has not been constructed in the manner required by law, the said inspector shall immediately placard conspicuously upon the entrance to or door of the cab or car of such elevator, a notice of its dangerous condition, and prohibit the use of such elevator until made safe to the satisfaction of said inspector. No person shall remove such notice or operate such elevator while such notice is placarded as aforesaid without authority from said inspector. This section shall not apply to the city of Boston.

Sec. 46. No explosive or inflammable compound shall be used in any factory in such place or manner as to obstruct or render hazardous the egress of operatives in case of fire.

Sec. 51. In every manufacturing establishment where the machinery used is propelled by steam, communication shall be provided between each room where such machinery is placed and the room where the engineer is stationed, by means of speaking tubes, electric bells, or appliances that may control the motive power, or such other means as shall be satisfactory to the inspectors of factories: *Provided*, That in the opinion of the inspectors such communication is necessary.

Sec. 52. No prosecution for a violation of the provisions of section fifty-one of this act shall be made until four weeks after notice in writing by an inspector has been sent by mail to such person, firm or corporation, of any changes necessary to be made to comply with the provisions of said section, nor then, if in the meantime such changes have been made in accordance with such notification.

Sec. 53. No outside or inside doors of any building wherein operatives are employed shall be so locked, bolted, or otherwise fastened during the hours of labor as to prevent free egress.

Sec. 54. Any person, firm, or corporation, being the owner, lessee, or occupant of any such building shall, after receiving five days' notice in writing from one of the inspectors of factories and public buildings, comply with the provisions of the preceding section.

Sec. 55. The inspectors of factories and public buildings shall enforce the provisions of this act.

Sec. 56. A district police officer detailed to perform the duties required by this act, who fails to perform such duties faithfully, shall be immediately discharged from his office.

Sec. 57. The chief of the district police shall report in print to the governor on or before the first day of January of each year, in relation to factories and public buildings, with such remarks, suggestions, and recommendations as he may deem necessary.

Sec. 59. Any person, firm, or corporation, being the occupant of any manufacturing establishment, or controlling the use of any building or room where machinery propelled by steam is used, violating the provisions of section fifty-one of this act, shall forfeit to the use of the Commonwealth not less than twenty-five dollars, and not more than one hundred dollars.

□Sec. 60. Any person or corporation owning, leasing, occupying, or controlling any building or room mentioned in section twenty-five of this act, who shall fail to observe the provisions of sections twenty-four to thirty-four of this act, shall be punished by a fine of not less than fifty nor more than one thousand dollars.

Sec. 61. Any person or corporation failing to send notice of any accident as required by section eight of this act, shall be punished by a fine not exceeding one hundred dollars.

Sec. 62. Any person or corporation violating any provision of this act, where no other special provision is made, shall be punished by a fine not exceeding one hundred dollars.

[Note: Chapter 481 above, is substantially a codification of laws previously passed which have now been repealed.]

CHAPTER 498.—EMPLOYMENT, ETC., OF CHILDREN.

Sec. 1. Every person having under his control a child between the ages of eight and fourteen years, and in every city and town where opportunity is furnished, in connection with the regular work of the public schools, for gratuitous instruction in the use of tools or in manual training, or for industrial education in any form, a child between the ages of eight and fifteen years, shall annually cause such child to attend some public day school in the city or town in which he resides, and such attendance shall continue for at least thirty weeks of the school year, if the schools are kept open for that length of time, with an allowance of two weeks' time for absences not excused by the superintendent of schools or the school committee. Such period of attendance shall begin within the first month of the fall term of school, and for each five day's absence of any such child thereafter, in excess of the above allowance, before the completion of the required annual attendance of thirty weeks, the person having such child under his control shall, upon the complaint of the school committee or any truant officer, forfeit to the puplic schools of such city or town a sum not exceeding twenty dollars, but if such child has attended for a like period of time a private day school approved by the school committee of such city or town, or if such child has been otherwise instructed for a like period of time in the branches of learning required by law to be taught in the public schools, or has already acquired the branches of learning required by law to be taught in the public schools, or if his physical or mental condition is such as to render such attendance inexpedient or impracticable, such penalty shall not be incurred.

CHAPTER 508. — EMPLOYMENT OF LABOR. (*a*)

Sec. 1 (as amended by chapter 129, acts of 1895). Any person or corporation engaged in manufacturing, which requires from persons in his or its employ, under penalty of forfeiture of a part of the wages earned by them, a

notice of intention to leave such employ, shall be liable to the payment of a like forfeiture if he or it discharges without similar notice a person in such employ.

Sec. 2. No person shall, by intimidation or force, prevent or seek to prevent a person from entering into or continuing in the employment of any person or corporation.

Sec. 3. No person or corporation, or agent or officer on behalf of any person or corporation, shall coerce or compel any person or persons into an agreement, either written or verbal, not to join or become a member of any labor organization, as a condition of such person or persons securing employment or continuing in the employment of any such person or corporation.

Sec. 4. No owner, superintendent, or overseer in any manufacturing, mechanical or mercantile establishment shall employ or permit to be employed therein any person entitled to vote at a state election, except such establishment as may lawfully conduct its business on Sunday, during the period of two hours after the opening of the polls in the voting precinct or town in which he is entitled to vote, if he shall make application for leave of absence during such period.

Sec. 5. No person shall, by threatening to discharge a person from his employment, or threatening to reduce the wages of a person, or by promising to give employment at higher wages to a person, attempt to influence a qualified voter to give or to withhold his vote at an election.

Sec. 6. No person or corporation shall, by a special contract with persons in his or its employ, exempt himself or itself from any liability which he or it might be under to such persons from injuries suffered by them in their employment and which result from the employer's own negligence or from the negligence of other persons in his or its employ.

Sec. 7. Nine hours shall constitute a day's work for all laborers, workmen, and mechanics now employed, or who may be employed by or on behalf of the Commonwealth, or any county, city, or town therein.

Sec. 8. All contracts hereafter made by or on behalf of the Commonwealth, requiring the employment of manual labor, shall provide that persons employed in the performance of such labor under such contract shall not be required to work more than nine hours in each day, and that said nine hours shall constitute a day's work.

Sec. 9. A day's work for all conductors, drivers, and motormen now employed or who may hereafter be employed by or on behalf of any street railway company in any city or town shall not exceed ten hours' work to be performed within twelve consecutive hours. No officer or agent of any street railway company shall exact from any of its said employees more than the said ten hours' work for a day's labor: *Provided, however,* That on all legal holidays, on days when the corporation is required to provide for more than the ordinary travel, and in case of accident or unavoidable delay, extra labor may be performed for extra compensation, and that nothing herein contained shall affect existing written contracts.

Sec. 10. No minor under eighteen years of age shall be employed in laboring in any mercantile establishment more than sixty hours in any one week.

Sec. 11. No minor under eighteen years of age, and no woman shall be employed in laboring in any manufacturing or mechanical establishment more than ten hours in any one day, except as hereinafter provided in this section, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed fifty-eight in a week. Every employer shall post in a conspicuous place in every room where such persons are employed, a printed notice stating the number of hours' work required of them on each day of the week, the hours of commencing and stopping such work, and the hours when the time or times allowed for dinner or for other meals begins and ends, or in the case of establishments exempted from the provisions of this act, the time, if any, allowed for dinner and for other meals; the printed form of such notice shall be furnished by the chief of the district police,

and shall be approved by the attorney-general; and the employment of any such person for a longer time in any day than that so stated shall be deemed a violation of this section, unless it appears that such employment is to make up for time lost on some previous day of the same week, in consequence of the stopping of machinery upon which such person was employed or dependent for employment; but no stopping of machinery for a shorter continuous time than thirty minutes shall authorize such overtime employment, nor shall any such stopping authorize such employment unless, or until, a written report of the day and hour of its occurrence, with its duration, is sent to the chief of the district police, or to the inspector of factories for the district. If any minor under eighteen years of age, or any woman, shall without the orders, consent, or knowledge of the employer or of any superintendent, overseer, or other agent of the employer, labor in a manufacturing or mechanical establishment during any part of any time allowed for dinner or for other meals in such establishment, according to the notice above mentioned, and if a copy of such notice was posted in a conspicuous place in the room where such labor took place, together with a rule of the establishment forbidding such minor or woman to labor during such time, then neither the employer nor any superintendent, overseer, or other agent of the employer shall be held responsible for such employment.

Sec. 12. No person or corporation, or officer or agent thereof, shall employ any woman or minor in any capacity for the purpose of manufacturing, between the hours of ten o'clock at night and six o'clock in the morning.

Sec. 13. No child under thirteen years of age shall be employed at any time in any factory, workshop, or mercantile establishment. No such child shall be employed in any indoor work performed for wages or other compensation, to whomsoever payable, during the hours when the public schools of the city or town in which he resides are in session, or shall be employed in any manner during such hours unless during the year next preceding such employment he has attended school for at least thirty weeks as required by law.

Sec. 14. No child under fourteen years of age shall be employed in any manner before the hour of six o'clock in the morning or after the hour of seven o'clock in the evening. No such child shall be employed in any factory, workshop, or mercantile establishment, except during the vacation of the public schools in the city or town in which he resides, unless the person or corporation employing him procures and keeps on file a certificate and employment ticket for such child, as prescribed by section seventeen of this act; and no such child shall be employed in any indoor work performed for wages or other compensation, to whomsoever payable, during the hours when the public schools of such city or town are in session, unless as aforesaid, or shall be employed in any manner during such hours unless during the year next preceding such employment he attended school for at least thirty weeks as required by law: *Provided*, The public schools are in session that number of weeks, which time may be divided, so far as the arrangements of school terms will allow, into three terms of ten consecutive weeks each; and such employment shall not continue in any case beyond the time when such certificate expires.

Sec. 15. The chief of the district police, with the approval of the governor, shall have authority to designate any kind or kinds of employment in factories, workshops, or mercantile establishments as injurious to the health of children under fourteen years of age employed therein; and after one week's written notice from the said chief to the employer, or his superintendent, overseer, or other agent, of such designation, no such child shall be employed in any such kind or kinds of employment in any factory, workshop, or mercantile establishment.

Sec. 16. No child under sixteen years of age shall be employed in any factory, workshop, or mercantile establishment unless the person or corporation employing him procures and keeps on file the certificate required in the case of such child by the following section, and also keeps on file a full and complete list of such children employed therein.

Sec. 17. The certificate of a child under fourteen years of age shall not be signed until he presents to the person authorized to sign the same an employment ticket as hereinafter prescribed, duly filled out, and signed. The certificate and employment ticket shall be separately printed, and shall be in the following forms respectively, and the blanks therein shall be filled out and signed as indicated by the words in brackets:—

EMPLOYMENT TICKET, LAWS OF 1894.

When [name of child], height [feet and inches], complexion [fair or dark], hair [color], presents a certificate duly signed; I intend to employ [him or her].

[Signature of intending employer or agent].

[Town or city and date].

AGE AND SCHOOLING CERTIFICATE, LAWS OF 1894.

This certifies that I am the [father, mother, or guardian] of [name of child], and that [he or she] was born at [name of town or city], in the county of [name of county, if known], and state [or country] of [name], on the [day and year of birth], and is now [number of years and months] old.

[Signature of father, mother, or guardian].

[Town or city and date].

There personally appeared before me the above named [name of person signing] and made oath that the foregoing certificate by [him or her] signed is true to the best of [his or her] knowledge and belief. I hereby approve the foregoing certificate of [name of child], height [feet and inches], complexion [fair or dark], hair [color], having no sufficient reason to doubt that [he or she] is of the age therein certified.

[Signature of person authorized to sign, with official character or authority].

[Town or city and date].

In case the age of the child is under fourteen the certificate shall continue as follows, after the word "certified":—

And I hereby certify that [he or she] can read at sight and can write legibly simple sentences in the English language, and that [he or she] has attended the [name] public [or private] day school according to law for [number of weeks, which must be at least thirty] weeks during the year next preceding this date, and that the last thirty weeks of such attendance began [date]. This certificate expires [date one year later than the above date).

(Signature of the person authorized to sign, with official character or authority).

If the attendance has been at a private school, there must be added also the signature of a teacher of such school, followed by words certifying to school attendance. (Town or city and date). In case a child cannot read or write, as above stated, the following may be substituted for the clause beginning "and I hereby certify" through to and including the word "language": "and I hereby certify that he or she is a regular attendant at the (name) public evening school"; but in such case the certificate shall only continue in force for as long a time as attendance of such child at such evening school is endorsed weekly during the session of such evening school, not exceeding the length of the public school year minus twenty weeks, in place of attendance at day school as now provided by law, with a statement from a teacher thereof certifying that his attendance continues regular. If attendance has been at a half time school, forty weeks of such attendance must be certified to instead of thirty. The foregoing certificate must be filled out in duplicate and one copy thereof shall be kept on file by the school committee. Any explanatory matter may be printed with such certificate in the discretion of the school committee or superintendent of schools.

Sec. 18. The following words shall appear on all age and schooling certificates after the name of the town or city and date:—This certificate belongs to the person in whose behalf it is drawn, and it shall be surrendered to (him or her) whenever (he or she) leaves the service of the corporation or employer holding the same.

Sec. 19. In cities and towns having a superintendent of schools, said certificate shall be signed only by such superintendent or by some person authorized by him in writing; in other cities and towns it shall be signed by some member or members of the school committee authorized by vote thereof: *Provided, however*, That no member of a school committee, or other person authorized as aforesaid, shall have authority to sign such certificate for any child then in or about to enter his own employment, or the employment of a firm of which he is a member, or of a corporation of which he is an officer or employee. The person signing the certificate shall have authority to administer the oath provided for therein, but no fee shall be charged therefor; such oath may also be administered by any justice of the peace.

Sec. 20. The certificate as to the birthplace and age of the child shall be signed by his father, if living and a resident of the same city or town; if not, by his mother; or if his mother is not living, or if living is not a resident of the same city or town, by his guardian; if a child has no father, mother, or guardian living in the same city or town his own signature to the certificate may be accepted by the person authorized to approve the same.

Sec. 21. No child who has been continuously a resident of a city or town since reaching the age of thirteen years shall be entitled to receive a certificate that he has reached the age of fourteen unless or until he has attended school according to law in such city or town for at least thirty weeks since reaching the age of thirteen, unless such child can read at sight and write legibly simple sentences in the English language, or is exempt by law from such attendance. Before signing the approval of the certificate of age of a child the person authorized to sign the same shall refer to the last school census taken under the provisions of section three of chapter forty-six of the public statutes, and if the name of such child is found therein and there is a material difference between his age as given therein, and as given by his parent or guardian in the certificate, allowing for lapse of time, or if such child plainly appears to be of materially less age than so given, then such certificate

shall not be signed until a copy of the certificate of birth, or baptism of such child, or a copy of the register of its birth with a town or city clerk, has been produced, or other satisfactory evidence furnished that such child is of the age stated in the certificate.

Sec. 22. Any corporation or employer holding any age or schooling certificate shall deliver the same to the person in whose behalf it has been drawn, when such person shall leave the employ of such corporation or employer.

Sec. 23. The truant officers may, when so authorized and required by vote of the school committee, visit the factories, workshops, and mercantile establishments in their several cities and towns, and ascertain whether any children under the age of fourteen are employed therein contrary to the provisions of this act, and they shall report any cases of such illegal employment to the school committee, and to the chief of the district police, or the inspector of factories for the district. The inspectors of factories and the truant officers when authorized as aforesaid, may demand the names of all children under sixteen years of age employed in such factories, workshops, and mercantile establishments, and may require that the certificates and lists of such children provided for in this act shall be produced for their inspection. Such truant officers shall inquire into the employment, otherwise than in such factories, workshops, and mercantile establishments, of children under the age of fourteen years, during the hours when the public schools are in session, and may require that the aforesaid certificates of all children under sixteen shall be produced for their inspection, and any such officer or any inspector of factories may bring a prosecution against a person or corporation employing any such child, otherwise than as aforesaid, during the hours when the public schools are in session, contrary to the provisions of this act, if such employment still continues for one week after written notice from such officer or inspector that such prosecution will be brought, or if more than one such written notice, whether relating to the same child, or to any other child, has been given to such employer by a truant officer or inspector of factories at any time within one year.

Sec. 24. No person shall employ or permit to be employed a minor under fourteen years of age, or over, who cannot read and write in the English language, and who resides in the city or town in this Commonwealth wherein public evening schools are maintained, and is not a regular attendant of a day school, or has not attained an attendance of seventy per cent or more of the yearly session of the evening school.

Sec. 25. Whenever it appears that the labor of any minor who would be debarred from employment under section twenty-four of this act is necessary for the support of the family to which said minor belongs, or for his own support, the school committee of said city or town may, in the exercise of their discretion, issue a permit authorizing the employment of such minor within such time or times as they may fix: *Provided*, Such minor makes application to said school committee, or some person duly authorized by said committee, for such a permit before the opening ot the yearly session of the evening school of said city or town; and the provisions of said section twenty-four shall not apply to such minor so long as said permit is in force; *Provided, also*, That if such minor has been prevented by sickness or injury from attending said evening school, as provided in said section, the school committee shall issue to such minor the permit provided for in this section, upon the presentation of the following blank properly filled and signed:—

To the School Committee of the

I hereby certify that I have attended from to ; that said was sick or injured with ; and that said was not in suitable physical condition to attend evening school for the term of days.

(Signed)

(Dated)

The school committee of every city and town in this Commonwealth wherein public evening schools are maintained shall furnish blanks in the above form upon application.

Sec. 26. All children, young persons, and women, five or more in number, employed in the same factory, shall be allowed their meal time or meal times at the same hour, except that any children, young persons, and women who begin work in such factory at a later hour in the morning than the other children, young persons or women employed therein, may be allowed their meal time or meal times at a different time; but no such children, young persons, or women shall be employed during the regular meal hour in tending the machines or doing the work of any other children, young persons, or women in addition to their own.

Sec. 27. No child, young person, or woman shall be employed in a factory or workshop in which five or more children, young persons, or women are employed, for more than six hours at one time, without an interval of at least half an hour for a meal, but a child, young person, or woman may be so employed for not more than six and one-half hours at one time if such employment ends at an hour not later that one o'clock in the afternoon, and if such child, young person, or woman is then dismissed from the factory or workshop for the remainder of the day, or for not more than seven and one-half hours at one time, if such child, young person, or woman is allowed sufficient opportunity for eating a lunch during the continuance of such employment, and if such employment ends at an hour not later than two o'clock in the afternoon, and such child, young person, or woman is then dismissed from the factory or workshop for the remainder of the day.

Sec. 28. Sections twenty-six and twenty-seven of this act shall not apply to iron works, glass works, paper mills, letter press establishments, print works, bleaching works, or dyeing works; and the chief of the district police, where it is proved to his satisfaction that in any other class of factories or workshops it is necessary, by reason of the continuous nature of the processes or of special circumstances affecting such class, to exempt such class from the provisions of this act, and that such exemption can be made without injury to the health of the children, young persons, or women affected thereby, may, with the approval

of the governor, issue a certificate granting such exemption, public notice whereof shall be given in the manner directed by said chief, without expense to the Commonwealth.

Sec. 29. If any minor under the age of eighteen years or any woman shall, without the orders, consent, or knowledge of the employer, or of any superintendent, overseer, or other agent of the employer, labor in a factory or workshop during any part of any time allowed for dinner or for other meals in such factory or workshop, according to the notice required by law, and if a copy of such notice was posted in a conspicuous place in the room where such labor took place, together with a rule of the establishment forbidding such minor or woman to labor during such time, then neither the employer, nor any superintendent, overseer, or other agent of the employer, shall be held responsible for such labor.

Sec. 30. Every person or corporation employing females in any manufacturing, mechanical, or mercantile establishment in this Commonwealth shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed.

Sec. 31. No child under the age of fourteen years shall be permitted to clean any part of the machinery in a factory when such part is in motion by the aid of steam, water, or other mechanical power, or to clean any part of such machinery which is in dangerous proximity to such moving part.

Sec. 32. No person, firm, or corporation shall employ or permit any person under fifteen years of age to have the care, custody, management, or operation of any elevator, or shall employ or permit any person under eighteen years of age to have the care, custody, management, or operation of any elevator running at a speed of over two hundred feet a minute.

Sec. 33. Every factory in which five or more persons are employed, and every factory, workshop, mercantile, or other establishment, or office in which two or more children, young persons, or women are employed, shall be kept in a

cleanly state, and free from effluvia arising from any drain, privy, or other nuisance, and shall be provided, within reasonable access, with a sufficient number of proper water closets, earth closets, or privies for the reasonable use of the persons employed therein; and wherever two or more male persons, and two or more female persons are employed as aforesaid together, a sufficient number of separate and distinct water closets, earth closets or privies shall be provided for the use of each sex, and plainly so designated; and no person shall be allowed to use any such closet or privy assigned to persons of the other sex.

Sec. 34. It shall be the duty of every owner, lessee, or occupant of any premises so used as to come within the provisions of section thirty-three of this act, to carry out the same and to make the changes necessary therefor. In case such changes are made upon the order of an inspector of factories by the occupant or lessee of the premises, he may at any time within thirty days of the completion thereof bring an action before any trial justice, police, municipal or district court against any other person having an interest in such premises, and may recover such proportion of the expense of making such changes as the court adjudges should justly and equitably be borne by such defendant.

Sec. 35. When it appears to an inspector of factories that any act, neglect, or fault in relation to any drain, water closet, earth closet, privy, ashpit, water supply, nuisance, or other matter in a factory, or in a workshop, included under section thirty-three of this act, is punishable or remediable under chapter eighty of the public statutes, or under any law of the Commonwealth relating to the preservation of the public health, but not under this act, such inspector shall give notice in writing of such act, neglect, or default, to the board of health of the city or town within which such factory or workshop is situated; and it shall thereupon be the duty of such board of health to make inquiry into the subject of the notice and to enforce the laws relative thereto.

Sec. 36. No criminal prosecution shall be instituted against any person for a violation of the provisions of sec-

tions thirty-three and thirty-four of this act until four weeks after notice in writing by an inspector of factories of the changes necessary to be made to comply with the provisions of said sections has been sent by mail or delivered to such person, nor then, if in the meantime such changes have been made in accordance with such notification. A notice shall be deemed a sufficient notice under this section to all members of a firm, or to a corporation, when given to one member of such firm, or to the clerk, cashier, secretary, agent, or any other officer having charge of the business of such corporation, or to its attorney; and in case of a foreign corporation notice to the officer having the charge of such factory or workshop shall be sufficient; and such officer shall be personally liable for the amount of any fine in case a judgment against the corporation is returned unsatisfied.

Sec. 37. Every factory in which five or more persons are employed, and every workshop in which five or more children, young persons, or women are employed shall, while work is carried on therein, be so ventilated that the air shall not become so exhausted or impure as to be injurious to the health of the persons employed therein, and shall also be so ventilated as to render harmless, so far as is practicable, all gases, vapors, dust, or other impurities generated in the course of the manufacturing process or handicraft carried on therein, which may be injurious to health.

Sec. 38. If in a workshop or factory included in section thirty-seven of this act any process is carried on by which dust is generated and inhaled to an injurious extent by the persons employed therein, and it appears to an inspector of factories that such inhalation could be to a great extent prevented by the use of a fan, or by other mechanical means, and that the same can be provided without incurring unreasonable expense, such inspector may direct a fan or other mechanical means of a proper construction to be provided within a reasonable time, and such fan or other mechanical means shall be so provided, maintained, and used.

Sec. 39. No criminal prosecution shall be instituted for any violation of the provisions of sections thirty-seven and thirty-eight of this act unless such employer shall have neg-

lected for four weeks to make such changes in his factory or workshop as shall have been ordered by an inspector of factories, by a notice in writing delivered to or received by such employer.

Sec. 44. Whenever any house, room, or place used as a dwelling is also used for the purpose of carrying on any process of making, altering, repairing, or finishing for sale any ready-made coats, vests, trousers, overcoats, or any wearing apparel of any description whatsoever, intended for sale, it shall, within the meaning of this act, be deemed a workshop; and every person so occupying or having control of any such workshop shall, within fourteen days from the time of beginning work in such workshop, notify the chief of the district police or the special inspector appointed for that purpose, of the location of such workshop, the nature of the work there carried on, and the number of persons therein employed; the exercise of such work in a private house or private room however, by the family dwelling therein, or by any of them, shall not of itself constitute such house or room a workshop within the meaning of this act: *Provided*, That such family or any member of such family engaged in the process of making, altering, repairing, or finishing for sale any such coats, vests, trousers, overcoats, or any wearing apparel of any description whatsoever, intended for sale, in a private house or private room used as a dwelling as aforesaid shall, before beginning such work, procure a license approved by the chief of the district police, upon the recommendation of the inspectors especially appointed for the enforcement of the provisions of sections forty-four, forty-five, forty-six, forty-seven, and forty-eight of this act; and no person, contractor, firm, or corporation shall give to any person not holding said license any such garments or articles of wearing apparel, intended for sale, to be made in any private house or room as aforesaid; and every such workshop and every such private house or private room shall be kept in a cleanly state, and shall be subject to the provisions of this section; and each of said garments made, altered, repaired, or finished for sale in any of such workshops, private houses, or rooms shall be sub-

ject to the inspection and examination of the inspectors of the district police, for the purpose of ascertaining whether said garments or any of them, or any part or parts thereof, are in cleanly condition and free from vermin, and every matter of an infectious or contagious nature.

Sec. 45. If said inspector finds evidence of infectious disease present in any workshop, or in goods manufactured or in the process of manufacture therein, he shall report the same to the chief of the district police, who shall then notify the state board of health to examine said workshop and the materials used therein; and if said board shall find said workshop in an unhealthy condition, or the clothing and materials used therein unfit for use, said board shall issue such order or orders as the public safety may require.

Sec. 46. Whenever it is reported to said inspector or to the chief of the district police, or to the state board of health, or to either of them, that ready-made coats, vests, trousers, overcoats, or other garments are being shipped to this Commonwealth, having previously been manufactured in whole or in part under unhealthy conditions, said inspector shall examine said goods and the condition of their manufacture, and if upon such examination said goods or any of them are found to contain vermin or to have been made in improper places, or under unhealthy conditions, he shall make report thereof to the state board of health, which board shall thereupon make such order or orders as the public safety may require.

Sec. 47. Whoever knowingly sells or exposes for sale any ready-made coats, vests, trousers, or overcoats which have been made in a tenement house used as a workshop, as specified in section forty-four of this act, shall have affixed to each of said garments a tag or label not less than two inches in length and one inch in width, upon which shall be legibly printed or written the words "tenement made" and the name of the state and the town or city where said garment or garments were made.

Sec. 48. No person shall sell or expose for sale any of said garments without a tag or label as aforesaid affixed thereto, nor sell or expose for sale any of said garments

with a false or fraudulent tag or label, nor wilfully remove, alter, or destroy any such tag or label, upon any of said garments when exposed for sale.

Sec. 49. No person shall employ or exhibit or sell, apprentice, or give away for the purpose of employing or exhibiting, a child under fifteen years of age, in dancing, playing on musical instruments, singing, walking on a wire or rope, or riding, or performing as a gymnast, contortionist, or acrobat, in any circus or theatrical exhibition, or in any public place whatsoever, or cause, procure, or encourage any such child to engage therein: *Provided*, That nothing in this section shall be construed to prevent the education of children in vocal and instrumental music, or their employment as musicians in any church, chapel, or school, or school exhibition, or to prevent their taking part in any concert or musical exhibition on the special written permission of the mayor and aldermen of a city or of the selectmen of a town.

Sec. 50. No license shall be granted for a theatrical exhibition or public show in which children under fifteen years of age are employed as acrobats, contortionists, or in any feats of gymnastics, or equestrianism, or in which such children belonging to the public schools are employed or allowed to take part as performers on the stage in any capacity, or where in the opinion of the board authorized to grant licenses such children are employed in such a manner as to corrupt their morals or impair their physical health; but nothing herein contained shall prevent the giving of special permission as provided by the preceding section.

Sec. 51. Every manufacturing, mining or quarrying, mercantile, railroad, street railway, telegraph and telephone corporation, every incorporated express company and water company shall pay weekly each employee engaged in its business the wages earned by such employee to within six days of the date of said payment; and every city shall so pay every employee engaged in its business, unless such employee shall request in writing to be paid in some different manner; and every municipal corporation not a city and every county shall so pay every employee in its business if so required by him; but if at any time of payment

any employee shall be absent from his regular place of labor he shall be paid thereafter on demand. The provisions of this section shall not apply to any employee of a co-operative corporation or association who is a stockholder therein, unless such employee shall request such corporation to pay him weekly, The railroad commissioners after a hearing, may exempt any railroad corporation from paying weekly any of its employees who, in the opinion of the commissioners, prefer less frequent payments, and when the interests of the public and such employees will not suffer thereby.

Sec. 52. The chief of the district police or any inspector of factories and public buildings may bring a complaint against any corporation which neglects to comply with the provisions of the preceding section. Complaints for such violations shall be made within thirty days from the date thereof. On the trial of such compliant such corporation shall not be allowed to set up any defense for a failure to pay weekly any employee engaged in its business the wages earned by such employee to within six days of the date when such payment should have been made, other than the attachment of such wages by the trustee process, or a valid assignment thereof, or a valid set-off against the same, or the absence of the employee from his regular place of labor at the time of payment, or an actual tender to such employee at the time of payment of the wages so earned by him. The corporation shall not be allowed to set up as a defense any payment of wages after the bringing of the complaint. No assignment of future wages, payable weekly under the provisions of this act, shall be valid if made to the corporation from whom such wages are to become due, or to any person on behalf of such corporation, or if made or procured to be made to any person for the purpose of relieving such corporation from the obligation to pay weekly under the provisions of this act.

Sec. 53. When a corporation against which a complaint is made under the preceding section fails to appear after being duly served with process, its default shall be recorded, the allegations in the complaint taken to be true, and judgment shall be rendered accordingly.

Sec. 54. When judgment is rendered upon any such complaint against a corporation the court may issue a warrant of distress to compel the payment of the penalty prescribed by law, together with costs and interest.

Sec. 55. The system of grading their work now or at any time hereafter used by manufacturers shall in no way affect or lessen the wages of a weaver, except for imperfections in his own work; and in no case shall the wages of those engaged in weaving be affected by fines or otherwise, unless the imperfections complained of are first exhibited and pointed out to the person or persens whose wages are to be affected; and no fine or fines shall be imposed upon any person for imperfect weaving, unless the provisions of this section are first complied with and the amount of the fines are agreed upon by both parties.

Sec. 56. The following form of complaint may be used in prosecutions under section eleven of this act, and if substantially followed shall be deemed sufficient, fully, and plainly, substantially, and formally, to describe the offenses set forth; but this section shall not be construed to prohibit the use of any other suitable form.

COMMONWEALTH OF MASSACHUSETTS.

M ss. To A B, Esquire, a trial justice within and for the county of M , C D of B, in said county of M , on behalf of the Commonwealth of Massachusetts, on oath complains that the is a corporation established under the laws, and having its usual place of business at B , in said county of M , and that said corporation, to wit, the said , on the day of , in the year 189 , at B , aforesaid, in the county aforesaid, had and was carrying on a manufacturing establishment, to wit, a mill for the manufacturing of , and then and there employed in laboring in its manufacturing establishment, to wit, in its said mill, and that said corporation, to wit, the said , had before the said day of posted and then still had and continued to have posted in a conspicuous place

in its said manufacturing establishment, to wit, its said mill, in a certain room in said manufacturing establishment, to wit, in said mill, in which said were then and there employed in laboring by said corporation, to wit, said , and in which a certain , whose name is , was then and there employed in laboring by said corporation, to wit, said , a printed notice stating the number of hours of work required of such by said corporation, to wit, said , on each day of the week, to wit, a printed notice that such were required to work in laboring, and that work in laboring was required of such then so employed in laboring in said room hours and no more in each of the first five working days of each week and hours and no more on Saturday of each week, which said notice was of the tenor following, that is to say [here insert an exact copy of said notice], and that said corporation, to wit, the said , on the said day of , the same being one of the first five working days in the week, to wit, , did then and there employ in laboring in its manufacturing establishment, to wit, said mill, and in the room in said mill in which the said notice was then and there posted as aforesaid, the said for a longer time than hours, to wit, for hours and minutes, the said period of being the time stated in the notice aforesaid as the number of hours' work in laboring required of said in said room by said corporation, to wit, said , on said day of , the same being the said employment in laboring of the said by said corporation, to wit, the said as aforesaid, not being then and there or any part thereof in compensation for or to make up for any time lost in consequence of the stopping of any machinery of the said corporation, to wit, the said , upon which the said was employed or dependent for employment or had been employed or was dependent for employment. Any previous day in the week of which the said day of was a portion , against the peace of the said Commonwealth and the form of the statute in such cases made and provided. He therefore prays that the said cor-

poration, to wit, the said , may be summoned to answer to said complaint and dealt with relative to the same, as law and justice may require.

Dated at B , in the county of M , this . day of , in the year of our Lord one thousand eight hundred and ninety

C D, Complainant.

Commonwealth of Massachusetts.

M ss. Taken and sworn to this day of , in the year of our Lord one thousand eight hundred and ninety .

Before me, , A B, Trial Justice.

The above form shall be sufficient in prosecutions of a natural person or persons and before district, police, and municipal courts, or any magistrate authorized to receive complaints, with such modifications as may be necessary in every case.

Sec. 57. The following expressions used in this act have the following meanings:—

The expression "person" means any individual, corporation, partnership, company, or association.

The expression "child" means a person under the age of fourteen years.

The expression "young person" means a person of the age of fourteen years and under the age of eighteen years.

The expression "woman" means a woman of eighteen years of age and upwards.

The expression "factory" means any premises where steam, water, or other mechanical power is used in aid of any manufacturing process there carried on.

The expression "workshop" means any premises, room, or place, not being a factory as above defined, wherein any manual labor is exercised by way of trade or for purposes of gain in or incidental to any process of making, altering, repairing, ornamenting, finishing, or adapting for sale any article or part of an article, and to which or over which

premises, room, or place, the employer of the persons working therein has the right of access or control: *Provided, however*, That the exercise of such manual labor in a private house or private room by the family dwelling therein or by any of them, or in case a majority of the persons therein employed are members of such family, shall not of itself constitute such house or room a workshop within this definition.

The expression "iron works" means any mill, forge, or other premises in or on which any process is carried on for converting iron into malleable iron, steel, or tin plate, or for otherwise making or converting steel.

The expression "glass works" means any premises in which the manufacture of glass is carried on.

The expression "paper mills" means any premises in which the manufacture of paper is carried on.

The expression "letter press establishments" means any premises in which the process of letter press printing is carried on.

The expression "print works" means any premises in which is carried on the process of printing figures, patterns, or designs upon any cotton, linen, woolen, worsted or silken yarn, or cloth, or upon any woven or felted fabric not being paper.

The expression "bleaching works" means any premises in which the process of bleaching any yarn or cloth of any material is carried on.

The expression "dyeing works" means any premises in which the process of dyeing any yarn or cloth of any material is carried on.

The expression "public building" means any building or premises used as a place of public entertainment, instruction, resort, or assemblage.

The expression "schoolhouse" means any building or premises in which public or private instruction is afforded to not less than ten pupils at one time.

The aforesaid expressions shall have the meanings above defined for them respectively in all laws of this Common-

wealth, relating to the employment of labor, whether heretofore or hereafter enacted, unless a different meaning is plainly required by the context.

Sec. 58. Any person attempting to influence a voter in violation of section five of this act shall be punished by fine not exceeding three hundred dollars or by imprisonment in jail not exceeding one year, or by both.

Sec. 59. Any person making a false report of the stopping of machinery under section eleven of this act shall be punished by fine not exceeding one hundred dollars and not less than fifty dollars.

Sec. 60. Any person or corporation, either for himself or itself, or as superintendent, overseer, or other agent for another, employing or having in his employment any person in violation of the provisions of sections ten and eleven of this act, and any parent or guardian permitting any minor under their control to be so employed, and any such corporation, employer, superintendent, overseer, or agent failing to post the notice required by section eleven of this act, shall be punished by fine not exceeding one hundred dollars and not less than fifty dollars for each offense.

Sec. 61. A certificate of the age of a minor made and sworn to by him and by his parent or guardian at the time of his employment in a mercantile establishment shall be prima facie evidence of his age in any prosecution under the preceding section.

Sec. 62. Every parent, guardian, or person authorized to sign the certificates prescribed by section seventeen of this act, who certifies to any materially false statement therein, shall be punished by fine not exceeding fifty dollars, or by imprisonment not exceeding thirty days, or by both.

Sec. 63. Whoever violates any of the provisions of this act relating to the manufacture and sale of clothing made in unhealthy places shall be punished by fine not exceeding one hundred dollars and not less than fifty dollars.

Sec. 64. Any person violating the provisions of section forty-nine of this act, forbidding the employment of children in any circus or public place, shall be punished by fine not exceeding two hundred dollars, or by imprisonment in the county jail not exceeding six months.

Lowell and Suburban Street Railway Company.

Operates cars in the city of Lowell, towns of Chelmsford, Billerica, Tyngsboro, Tewksbury and Dracut. Also connects with cars for Nashua, Lawrence, Reading, Wakefield and Lynn, Bedford, Lexington, Waltham and Boston.

Lowell, Lawrence and Haverhill Street Railway Company.

Starting at Merrimack Square, in Lowell, operates cars in the cities of Lawrence and Haverhill, towns of Methuen, Andover, North Andover, Groveland and West Newbury, connecting with cars for Georgetown, Newburyport and Salisbury Beach.

Sec. 65. Any corporation violating the provisions of section fifty-one of this act, requiring the weekly payment of wages, shall be punished by fine not exceeding fifty dollars and not less than ten dollars.

Sec. 66. Any person who is convicted a second time of a violation of the provisions of section fifty-five of this act, as to weavers' wages, shall be punished by fine not exceeding three hundred dollars.

Sec. 67. Every parent or guardian of a child under fourteen years of age who permits any employment of such child contrary to the provisions of this act, and every owner, superintendent, or overseer of any factory, workshop, or mercantile establishment who employs or permits to be employed therein any child contrary to the provisions of this act, and any other person who employs any child contrary to the provisions of this act, shall for every such offense forfeit not less than twenty nor more than fifty dollars for the use of the public schools of the city or town. A failure to produce to a truant officer or inspector of factories the certificate required by the provisions of this act shall be prima facie evidence of the illegal employment of the child whose certificate is not produced.

Sec. 68. Any person, or corporation, or officer, or agent thereof, employing any woman or minor in violation of section twelve of this act, shall be punished by fine not exceeding fifty dollars and not less than twenty dollars for each offense.

Sec. 69. Any corporation or employer retaining any age or schooling certificate in violation of section twenty-two of this act shall be punished by fine of ten dollars.

Sec. 70. Any person who employs or permits to be employed a minor in violation of the provisions of section twenty-four of this act shall for each offense forfeit not less than fifty nor more than one hundred dollars for the use of the evening schools of such city or town.

Sec. 71. Whoever, either for himself, or as superintendent, overseer, or other agent of another, violates the provisions of sections twenty-six, twenty-seven, twenty-eight,

HOOPER KNITTING COMPANY.

ROGERS STREET, LOWELL, MASS.

This Company was organized October, 1899, and is incorporated under Massachusetts laws, with a capital of $100,000. The factory buildings are located on Rogers Street,

HOOPER KNITTING COMPANY.

beside the tracks of the Boston & Maine Railroad, and will be equipped with the latest improved machinery.

An ample dyehouse is being built in which the fast black and colored hosiery, made famous by Mr. M. C. Cuttle, will be dyed.

Directors: George L. Hooper, President and General Manager; Horace P. Beals, Treasurer and Clerk; Ethan A. Smith, Albion C. Taylor, Levi L. Willcutt, William B. Spalding.

or twenty-nine of this act, as to meal hours, shall be punished by fine not exceeding one hundred dollars and not less than fifty dollars.

Sec. 72. Any person or corporation violating the provisions of section thirty of this act, as to seats for females, shall be punished by fine not exceeding thirty dollars and not less than ten dollars for each offense.

Sec. 73. Whoever, either for himself, or as superintendent, overseer, or other agent of another, violates the provisions of section thirty-one of this act, as to cleaning of dangerous machinery, shall be punished by fine not exceeding one hundred dollars and not less than fifty dollars for each offense.

Sec. 74. Whoever violates the provisions of section thirty-two of this act, as to the care of elevators, shall be punished by fine not exceeding one hundred dollars and not less than twenty-five dollars for each offense.

Sec. 75. Any school committee, public officer, corporation, or person, neglecting for four weeks to obey an order from an inspector under section forty-two of this act, shall be punished by fine not exceeding one hundred dollars.

Sec. 76. Any person, firm, or corporation violating the provisions of sections forty-four to forty-eight inclusive of this act, shall be punished by fine not exceeding five hundred dollars and not less than fifty dollars.

Sec. 77. Any person, firm, or corporation neglecting or refusing to comply with the provisions of section fifty-two of this act shall be punished by fine not exceeding fifty dollars and not less than ten dollars.

Sec. 78. Any person violating any provision of this act where no special provision as to the penalty for such violation is made shall be punished by fine not exceeding one hundred dollars.

Sec. 79. Within one month after the passage of this act the chief of the district police shall cause a printed copy thereof to be transmitted to the school committee of every city and town in the Commonwealth.

[Note: See chapter 438, acts of 1895, for further legislation on the subject contained in sections 51 to 54 inclusive of this

act. This chapter (508) is substantially a codification of laws previously passed which have now been repealed].

CHAPTER 519.—HONORABLY DISCHARGED SOLDIERS AND SAILORS NOT TO BE REMOVED FROM PUBLIC EMPLOYMENT EXCEPT UPON HEARING.

Sec. 1. No person who has served in the United States army or navy in time of war and been honorably discharged therefrom, and who holds an office or position in the civil service of any city in the Commonwealth, shall be removed or suspended or, without his consent, transferred from such office or position, except after a full hearing before the mayor of such city, at which the person aggrieved shall have the right to be represented in person or by counsel.

Sec. 2. Whoever violates the provisions of this act shall be punished by fine not exceeding five hundred dollars.

CHAPTER 534.—SPECIFICATIONS TO BE FURNISHED WEAVERS IN COTTON MILLS.

Sec. 1. The occupier or manager of every cotton factory shall supply with each warp, to each person engaged as a weaver in said factory who is paid by the piece, cut, or yard, a printed or written ticket containing the following specifications as to the work to be done and wages paid, to wit:—The number of cuts; the number of yards per cut or piece; the price per yard, cut, or piece; the number of picks per inch; the number of reeds to the inch. Said occupier or manager shall also supply to each person engaged as a frame-tender a specification of the number of roving and price per hank or hanks; and to each person engaged as a warper or web-drawer a specification of the number of threads in the warp and the rate of compensation; and to each operative who is paid by the pound a specification of the price to be paid per pound or pounds; said specification to be furnished in each case on a printed or written ticket within seven days from the time that said operative begins work.

Sec. 2. Any occupier or manager of a cotton factory who fails to comply with the provisions of the preceding section

shall, for the first offense, be punished by fine not exceeding fifty dollars and not less than twenty-five dollars, and for each subsequent offense by fine not exceeding one hundred dollars and not less than fifty dollars.

Sec. 3. The members of the inspection department of the district police force shall enforce the provisions of this act.

CHAPTER 535.—STEAM RAILROAD INSPECTORS.

The board of railroad commissioners may from time to time, whenever they deem the same necessary, appoint com-

LOWELL HOSIERY.

petent inspectors, not exceeding one for each one thousand miles of railroad track, who shall be known as railroad inspectors.

Sec. 2. The terms of office of the inspectors appointed in the year eighteen hundred and ninety-four shall be fixed by the board of railroad commissioners, but shall not in any event exceed three years, and shall be so arranged that the terms of office of not more than one half of said inspectors shall expire in any one year. The terms of office of inspec-

tors other than those appointed in the year eighteen hundred and ninety-four, except to fill a vacancy, shall be for three years. The board of railroad commissioners may for cause remove any inspector and appoint another in his place.

Sec. 3. The inspectors shall have power to examine the machinery, cars, and locomotives employed in moving trains, and tracks of railroads, under the direction of the board of railroad commissioners.

Sec. 4. Whenever the machinery, cars, locomotives, or roadbed of any railroad are considered by any inspector to be dangerous to the safety of public travel, or to the employees of said railroad, such inspector shall so report in writing to the board of railroad commissioners, who shall, if they deem it necessary, give notice thereof to the railroad company owning the said machinery, cars, or locomotives, or operating the railroad over said roadbed, with their recommendation as to any changes that they deem necessary.

Sec. 5. An inspector shall attend the inquests held in all cases of death by accident upon a railroad, and may cause all persons having knowledge of the circumstances concerning such death to be summoned by some officer authorized by law to summon witnesses, to attend and testify at the inquest. The court of justice holding such inquest shall give notice of the time and place thereof to the board of railroad commissioners.

Sec. 6. Any employee may make complaint in writing concerning the defective ways and machinery of any railroad, to the board of railroad commissioners, and the said commissioners shall not divulge the name of the writer thereof.

Sec. 7. Each inspector shall be paid an annual salary of fifteen hundred dollars out of the treasury of the Commonwealth.

Sec. 8. The total annual expense for salaries of said inspectors shall be borne by the several corporations owning or operating railroads in this Commonwealth, according to their gross earnings by the transportation of persons and property, and shall be apportioned by the tax commissioner,

who shall assess the same on or before the first day of July in each year upon said railroad corporations, in the manner prescribed in section twelve of chapter one hundred and twelve of the Public Statutes; and such assessments shall be collected in the manner provided by law for the collection of taxes upon corporations.

ACTS OF 1895.

Chapter 144—Specifications, Rates of Pay, Etc., to be Posted in Textile Factories.

Section 1. The occupier or manager of every textile factory shall post in every room where any employees work by the job, in legible writing or printing, and in sufficient number to be easily accessible to such employees, specifications of the character of each kind of work to be done by them, and the rate of compensation. Such specifications in the case of weaving rooms shall state the intended or maximum length, or weight of a cut or piece, the count per inch of reed, and the number of picks per inch, and the price per cut or piece, or per pound; or, if payment is made per pick or per yard, the price per pick or per yard; and each warp shall bear a designating ticket or mark of identification. In roving or spinning rooms the number of roving or yarn, and the price per hank for each size of machine shall be stated; and each machine shall bear a ticket stating the number of the roving or yarn made upon it.

Sec. 2. Any occupier or manager of textile factory who fails to comply with the provisions of the preceding section shall for the first offense be punished by fine of not less than twenty-five dollars nor more than fifty dollars, and for each subsequent offense by fine of not less than fifty dollars nor more than one hundred dollars.

Sec. 3. The members of the inspection department of the district police force shall enforce the provisions of this act.

Chapter 228. — Protection of Employees — Electric Wires to be Insulated.

Sec. 1. All poles and posts used for the transmission of electricity shall be insulated in such manner as to protect employes and other persons from accidents.

Sec. 2. It shall be the duty of the inspector of wires appointed, or who may be appointed, under the authority of chapter four hundred and four of the acts of the year eighteen hundred and ninety, and acts amendatory thereof, or the commissioner of wires of the city of Boston, to enforce the provisions of this act, and said inspector or commissioner shall be deemed the sole judge of what constitutes a proper insulation.

Sec. 3. Any person or corporation owning poles or posts used for the transmission of electricity, who fails to comply with the provisions of section one of this act, shall be punished by fine of not less than ten dollars nor more than one hundred dollars for every pole left uninsulated within a reasonable time after the request of the inspector, or commissioner acting under section two of this act.

Chapter 290 — Bureau of Statistics of Labor — Publication of Bulletin.

For the purpose of disseminating information from time to time respecting the state of employment, and other information relative to industrial conditions, the bureau of statistics of labor is authorized to distribute a bulletin, at such regular intervals as it may deem advisable, to be printed by the state printers; and for expenses in connection therewith may expend, under the direction of the chief of said bureau, in addition to the annual appropriation authorized by law for said bureau, the sum of one thousand dollars in each year, to be paid out of the treasury of the Commonwealth.

CHAPTER 362.—SAFETY APPLIANCES ON LOCOMOTIVES AND CARS.

Sec. 1. On and after the first day of January in the year eighteen hundred and ninety-eight no railroad corporation shall use in moving traffic between points in this Commonwealth any locomotive which is not equipped with a power driving wheel brake and appliances for operating the train brake system; or shall run any train in such traffic on and after said date that has not a sufficient number of cars in it so equipped with power of train brakes that the engineer on the locomotive drawing such train can control its speed without requiring brakemen to use the common hand brake for that purpose; and when any such corporation shall have equipped a sufficient number of its cars so as to comply with the provisions of this section it may lawfully refuse to receive from connecting lines of railroad any cars used in such traffic which are not equipped sufficiently, in accordance with this section, with such power or train brakes as will work, and readily interchange with the brakes in use on its own cars, as required by this act.

Sec. 2. On and after the date aforesaid no railroad corporation shall haul or permit to be hauled or used on its lines in moving traffic between points in this Commonwealth any car which is not equipped with couplers coupling automatically by impact, and which can be uncoupled without the necessity of men going between the ends of the cars.

Sec. 3. On and after the first day of July in the present year, and until otherwise ordered by the board of railroad commissioners, no railroad corporation shall use in moving traffic between points in this Commonwealth any car which is not provided with secure grab-irons, or hand-holds in the ends and sides of each car for greater security to men in coupling and uncoupling cars: *Provided*, That this section shall not apply to flat cars which are equipped with automatic couplers such as are described in section two.

Sec. 4. The standard height of drawbars for freight cars, measured perpendicularly from the level of the top of the rails to the centres of the drawbars, shall be thirty-four and one half inches for standard guage railroads, and

twenty-six inches for narrow guage railroads, with a maximum variation from such standard height, in either case, of three inches between the drawbars of empty and loaded cars; and, on after the date last above-named, no freight car, either loaded or unloaded, shall be used in moving traffic between points in this Commonwealth with drawbars which do not comply with the above standard.

Sec. 5. A railroad corporation using any locomotive engine, running any train, or hauling or permitting to be hauled, or used on its line any car in violation of any of the provisions of this act shall be liable to a penalty of one hundred dollars for each such violation, to be recovered in an action of tort to the use of the Commonwealth by the attorney-general, or the district attorney for the district in which such violation was committed: *Provided*, That nothing in this act contained shall apply to trains composed of four wheel cars, or to locomotives used in hauling such trains.

Sec. 6. The board of railroad commissioners may from time to time, upon full hearing and for good cause, extend the period within which any railroad corporation shall comply with the provisions of this act.

Sec. 7. Any employee of such corporation who may be injured by any locomotive, car, or train in use contrary to the provision of this act shall not be deemed thereby to have assumed the risk thereby occasioned, although continuing in the employment of such corporation after the unlawful use of such locomotive, car, or train has been brought to his knowledge.

Chapter 376.—Civil Service Commission—Registrar of Labor.

Sec. 1. The civil service commissioners are authorized to appoint a registrar of labor, who shall under their direction supervise the administration of civil service rules applicable to the public labor service of the Commonwealth or any city thereof. He shall receive an annual salary of two thousand dollars and be allowed his actual traveling

expenses incurred in the discharge of his official duties. The salary and traveling expenses for the current year shall be paid from the appropriation for clerical assistance and traveling expenses of the civil service commissioners as authorized by chapter thirteen of the acts of the present year.

CHAPTER 418.—INSPECTION OF STEAM BOILERS.

Sec. 1. It shall be the duty of every corporation, firm, or individual, owning or using, or causing to be used, within

RUNELS BUILDING.

this Commonwealth, a steam boiler or boilers (excepting boilers upon locomotives, boilers in private residences, boilers under the jurisdiction of the United States, boilers that are under the periodically guaranteed inspection of companies that have complied with all the laws of this Commonwealth, boilers used exclusively for agricultural, horticultural, and creamery purposes, or boilers of less than three horse power), within sixty days after the passage of this act, and annually thereafter, to report to the chief of

the district police the location of such steam boiler or boilers.

Sec. 2. Each of the boilers designated in section one shall be inspected by the inspector of boilers for the district in which said boiler or boilers is located, as thoroughly as in the judgment of the inspector is necessary, and if the inspector so directs, it shall be the duty of the owner or user to have the boiler or boilers blown off dry, and the manhole and the hand-hole covers thereon removed, ready for inspection upon the day designated by the inspector, the inspector giving the owner or user of said boiler or boilers fourteen days' notice in writing of the day upon which he will make such internal inspection, provided that such inspection shall not be required oftener than twice a year.

Sec. 3. If upon examination said inspector shall find the boiler inspected to be worthy and in safe working order, with the fittings necessary to safety, and properly set up, he shall grant to the owner or user of such boiler or boilers a certificate of inspection, and upon receipt of such certificate said owner or user shall be permitted to use the boiler or boilers mentioned in the certificate. And if in said inspection the inspector shall find that the boiler is not in safe condition, or not provided with fittings necessary to safety, or with fittings not properly arranged, he shall withhold his certificate until the boiler and fittings are put in condition satisfactory to him; and it shall be unlawful for any owner or user to then operate or cause to be operated such steam boiler until the inspector has granted his certificate, and the owner or user operating such boiler without said certificate may be enjoined from such use, in a proceeding to be had before the superior court or the supreme judicial court, at the instance of the inspector, with the approval of the chief of the district police; and upon the filing of a petition therefor any judge or justice of the court in which said proceeding is pending may issue a temporary injunction or restraining order, as provided in proceedings in equity.

Sec. 4. If upon such inspection the inspector finds that the owner or user of any steam boiler is putting too much pressure upon the same the inspector shall have the power

to fix the maximum pressure to be allowed to be carried by said boiler, and shall adopt, and the owner or user shall place or cause to be placed upon said boiler, such device as the inspector shall deem expedient to prevent the boiler from carrying any greater than the maximum pressure designated, said device to be approved by the chief of the district police; and no person shall in any manner tamper with such device, or load the safety valve to a greater pressure than that allowed by the inspector, as hereinbefore provided.

Sec. 5. The owner or user of a boiler or boilers coming under the provisions of this act shall pay to the inspector at each inspection the sum of two dollars for each boiler inspected. All sums paid as aforesaid shall be paid over by him monthly to the treasurer of the Commonwealth.

Sec. 6. The chief of the district police is hereby authorized to adopt such rules and regulations, to be approved by the governor, as may be necessary to properly enforce this act.

Sec. 7. All persons violating any of the provisions of this act shall upon conviction be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or both, at the discretion of the court.

Sec. 8. The governor is hereby authorized to appoint three additional members to the inspection department of the district police qualified to perform the duties required by this act, who shall each receive an annual salary of fifteen hundred dollars and their actual traveling and necessary expenses.

Chapter 438.—Sunday Labor.

Sec. 2. Whoever on the Lord's day keeps open his shop, warehouse, or workhouse, or does any manner of labor, business, or work, except works of necessity and charity, or takes part in any sport, game, or play, or public diversion, except a concert of sacred music, or an entertainment given by a religious or charitable society the proceeds of which, if any, are to be devoted exclusively to a charitable or religious purpose, shall be punished by fine not exceeding fifty dollars for each offense, and the proprietor, manager,

WHEELER & WILSON MANUFACTURING CO.

JOHN STREET, LOWELL, MASS.

The history of the growth of the Wheeler & Wilson Manufacturing Company has been one of constantly increasing business. Being introduced nearly half a century

WHEELER & WILSON SEWING MACHINE CO.

ago in Lowell, and by furnishing the people the best and latest devices for sewing it has become the popular machine. The company has been obliged to build two new factories, and make large additions to three of their plants which is conclusive proof of public approval, both in our own and other parts of the country.

or person in charge of such game, sport, play, or public diversion, other than such concert of sacred music, or an entertainment given by a religious or charitable society the proceeds of which, if any, are to be devoted exclusively to a charitable or religious purpose, shall be punished by fine not less than fifty and not exceeding five hundred dollars for each offense; but nothing in this section shall be held to prohibit the manufacture and distribution of steam, gas, or electricity for illuminating purposes, heat or motive power, nor the distribution of water for fire or domestic purposes, nor the use of the telegraph or telephone, nor the retail sale of drugs and medicines, nor articles ordered by the prescription of a physician, nor mechanical appliances used by physicians or surgeons, nor the letting of horses and carriages, nor the letting of yachts and boats, nor the running of steam ferry boats on established routes, or of street railway cars, nor the preparation, printing, and publishing of newspapers, nor the sale and delivery of newspapers, nor the wholesale or retail sale and delivery of milk, nor the transportation of milk, nor the making of butter and cheese, nor the keeping open of public bath houses, nor the making or selling by bakers or their employees of bread or other food usually dealt in by them, before ten o'clock in the morning and between the hours of four o'clock and half-past six o'clock in the evening. Whoever conscientiously believes that the seventh day of the week ought to be observed as the Sabbath, and actually refrains from secular business and labor on that day, shall not be liable to the penalties of this section for performing secular business and labor on the Lord's day, if he disturbs no other person.

Chapter 438.—Weekly Payment of Wages.

Sec. 1. Sections fifty-one to fifty-four, inclusive, of chapter five hundred and eight of the acts of the year eighteen hundred and ninety-four, relative to the weekly payment of wages by corporations, shall apply to any person or partnership engaged in this Commonwealth in any manu-

facturing business and having more than twenty-five employees. And the word "corporation," as used in said sections, shall include such persons and partnerships.

CHAPTER 453.—LICENSING, ETC., OF PLUMBERS.

Sec. 1. The provisions of chapter four hundred and fifty-five of the acts of the year eighteen hundred and ninety-four shall not be operative in any town until accepted by vote of a majority of the voters of such town present and voting thereon at a town meeting, and the provisions of section seven of said chapter shall not be operative in any city until accepted by vote of its city council.

Sec. 2. Any city may, by vote of its city council, exempt from the provisions of said chapter four hundred and fifty-five any or all of its territory lying outside of the limits of the water supply of such city, or unconnected with a common sewer.

CHAPTER 462.—TRADE MARKS OF TRADES UNIONS, ETC.

Sec. 1. Any person, association, or union may adopt a label, trade mark, stamp, or form of advertisement not previously owned or adopted by any other person, association, or union, and may file the same for record in the office of the secretary of the Commonwealth, by leaving two copies, counterparts, or facsimilies thereof, with said secretary; and shall file therewith a certificate specifying the name or names of the person, association, or union so filing such label, trade mark, stamp, or form of advertisement, his, or its residence, location, or place of business, the class of merchandise and the particular description of goods comprised in such class to which it has been or is intended to be appropriated, and the length of time, if any, during which it has been in use. Such certificate shall be accompanied by a written declaration, verified under oath by the person or some officer of the association or union by whom it is filed, to the effect that the party so filing such label, trade mark, stamp, or form of advertisement has a right to the use of the same, and that no other person, firm, association,

union, or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as may be calculated to deceive, and that the facsimiles, copies, or couuterparts filed therewith are true aud correct. There shall be paid for such filing the fee of one dollar. Said secretary shall deliver to such person, association, or union so filing the same a duly attested certificate of the record of the same, for which he shall receive the fee of one dollar. Such certificate of record shall in all suits and prosecutions under this act be sufficient proof of the adoptiou of such label, stamp, trade mark, or form of advertisement. No label, trade mark, stamp, or form of advertisement shall be recorded that would reasonably be mistaken for a label, trade mark, stamp, or form of advertisement already on record.

Sec. 2. The secretary of the Commonwealth is authorized to make rules and regulations, and prescribe forms for the filing of labels, trade-marks, and forms of advertisement under the provisions of this act.

Sec. 3. The owner of any such label, trade-mark, stamp, or form of advertisement recorded as provided in section one of this act, may proceed by suit to enjoin the manufacture, use, or sale of any such counterfeits or imitations, and all courts having jurisdiction thereof shall grant injunctions to restrain such manufacture, use, or sale, and shall award the complainant in such suit such damages resulting from such wrongful manufacture, use, or sale as may by said court be deemed just and reasonable, and shall require the defendant to pay to such person, association, or union the profits derived from such wrongful manufacture, use, or sale; and such court may also order that all such counterfeits or imitations in the possession or under the control of any defendant in such case be delivered to an officer of the court, or to the complainant, to be destroyed. In all cases where such association or union is not incorporated, suits under this act may be commenced and prosecuted by an officer of such association or union, on behalf of and for the use of such association or union, and every member of such association or union shall be liable for costs in any such proceedings.

Sec. 4. Every person who, without authority from the owner of a label, trade-mark, stamp, or form of advertisement recorded as aforesaid, shall make or use any counterfeit or imitation of such label, trade-mark, stamp, or form of advertisement, knowing the same to be counterfeit or imitation, and every person who, without authority from such owner, shall affix, impress, or use such label, trade-mark, stamp, or form of advertisement upon any goods shall be punished by a fine not exceeding two hundred dollars, or by fine not exceeding one year, or by both such fine and imprisonment.

Sec. 5. Every person who shall sell goods upon which such label, trade-mark, stamp, or form of advertisement recorded as aforesaid, or any counterfeit or imitation thereof shall be unlawfully impressed, affixed or used, shall be punished by a fine not exceeding two hundred dollars, or by imprisonment not exceeding one year, or by both such fine and imprisonment, unless such person shall show that at the time such goods came into his possession he did not know that the impression, affixing, or use of such label, trade-mark, stamp, or form of advertisement was unlawful.

Sec. 6. In any suit or prosecution under the provisions of this act the defendant may show that he or it was the owner of such label, trade-mark, or form of advertisement prior to its being filed under the provisions of this act, and that it has been filed wrongfully or without right by some other person, association, or union.

CHAPTER 471. — EXAMINATION, LICENSING, ETC., OF STEAM ENGINEERS AND FIREMEN.

Sec. 1. It shall be unlawful for any person to have charge of or to operate a steam boiler or engine in this Commonwealth, except locomotive boilers and engines, boilers in private residences, boilers under the jurisdiction of the United States, and boilers used for agricultural purposes exclusively, or of less than eight horse power, unless he holds a license as hereinafter provided; and it shall be

unlawful for any owner or user of any steam boiler or engine other than those above excepted, to operate, or cause to be operated a steam boiler, or engine for a period of more than one week without a duly licensed engineer or fireman in charge.

Sec. 2. Any person desiring to act as an engineer or fireman shall make application to so act to an examiner of engineers, upon blanks furnished by the examiner, and if upon examination the applicant is found trustworthy and competent a license shall be granted to said applicant to have charge of or to operate such steam plants as the examiner may find him qualified to have in keeping. Such license shall continue in force for three years unless after proper hearing it is sooner revoked, for intoxication or other sufficient cause, and may be renewed every three years on application to the authority granting the same, or at such time as may be determined by said authority.

Sec. 3. Licenses shall be granted according to the competency of the applicant, and shall be divided into classes as follows: First class. Engineers' licenses of this class shall be unlimited as to horse power. Second class. Engineers' licenses of this class shall be limited to one hundred and fifty horse power, Third class. Engineers' licenses of this class shall be limited to fifty horse power. A fireman's license shall be issued to any person who, after having passed an examination, as herein provided, shall have been found competent to take charge of, or to operate any steam boiler or boilers. Any person desiring to operate any particular steam plant may so state to the examiner, and he shall be examined as to his fitness to operate that particular plant, and if found competent and trustworthy shall be granted a license, termed a special license, for that particular plant, and such license shall be in force for three years.

Sec. 4. The fee for examination for applicants for license shall be one dollar, to be paid at the time of the application for examination, and one dollar for each renewal of license. All sums paid as aforesaid shall be received by the examiner, and shall be paid over by him monthly to the treasurer of

the Commonwealth if such examiner is a member of the district police, otherwise to the treasurer of the town or city by which such examiner is employed.

Sec. 5. The members of the boiler inspection department of the district police shall act as examiners and enforce the provisions of this act.

Sec. 6. It shall be the duty of the examiners to notify every person operating a boiler or engine mentioned in section one and not included among the exceptions therein specified, to apply for a license under this act and to give such person a reasonable opportunity to take an examination therefor within the town or city in which he is engaged in operating such boiler or engine. The examiner shall issue a license, or shall notify the applicant of his rejection within forty-eight hours after his examination.

Sec. 7. Any person dissatisfied with the action of an examiner in refusing or in revoking a license may appeal to the chief of the district police, whose decision shall be final.

Sec. 8. Whoever, after being notified as provided in section six, intentionally violates the provisions of section one of this act shall be punished by fine not exceeding three hundred dollars, or by imprisonment not exceeding three months.

Sec. 9. This act shall take effect on the first day of August in the year eighteen hundred and ninety-five, and any person applying for a license as engineer or fireman on or before that date shall be deemed to have complied with the provisions of this act until his application is passed upon or rejected by the proper authorities.

Chapter 475.—Establishment of Textile Schools.

Sec. 1. In any city of this Commonwealth whose mayor shall, on or before the first day of July in the year eighteen hundred and ninety-five, file a certificate with the commissioner of corporations that said city has in operation four hundred and fifty thousand or more spindles, not less than seven nor more than twenty persons, citizens of this

Commonwealth, may associate themselves together by an agreement in writing for the purpose of establishing and maintaining a textile school for instruction in the theory and practical art of textile and kindred branches of industry, with authority to take, by gift or purchase, and hold personal and real estate to the amount of three hundred thousand dollars. A copy of said agreement and of the signatures thereto, sworn to by any one of the subscribers, shall be submitted to the governor, aud if he shall certify his approval of the associates as suitable for the purposes of their association and of this act, said associates shall, for said purposes, after due and proper organization by the adoption of by-laws and the election of officers, and after filing a certificate of such organization and the certificate of the approval of the governor with the secretary of the Commonwealth, be and remain a corporation, with all the powers and privileges and subject to all the duties and obligations of corporations organized for educational purposes under chapter one hundred and fifteen of the Public Statutes. Said corporation shall be known as the Trustees of the Textile School of the place in which it is located, and shall have power to fill all vacancies in their number, however occurring, except as otherwise provided in this act. There shall be only one school incorporated under the provisions of this act in one city.

Sec. 2. Any city in which such a corporotion is organized may appropriate and pay to said corporation a sum of money not to exceed in any case, the sum of twenty-five thousand dollars, and upon the appropriation and payment of said sum, or any part thereof by any such city, the mayor and superintendent of schools of such city for the time being, shall be and become members of said corporation, and the mayor and superintendent of schools of such city shall thereafter be members of such corporation.

Whenever any such city shall appropriate and pay to any such corporation any sum of money, or whenever the trustees or members of any such corporation shall pay into its treasury, for the purposes of the establishment and maintenace of such school, any sum of money, there shall be

appropriated and paid to said corporation from the treasury of the Commonwealth a sum of money equal to the total amount thus appropriated and paid; but in no case shall there be paid to any such corporation by the Commonwealth any sum of money exceeding twenty-five thousand dollars, and upon the appropriation and payment of any sum of money by the Commonwealth for the purposes of any such school, the governor shall, with the advice and consent of the council, appoint two persons to be members and trustees of any such corporation for two and four years respectively, and thereafter such persons and their successors by similar appointment shall be and remain members of said corporation. The governor, with the advice and consent of the council, shall fill all vacancies, however, occuring in the membership created by this section.

CHAPTER 501. — HONORABLY DISCHARGED SOLDIERS AND SAILORS PREFERRED IN PUBLIC EMPLOYMENT, ETC.

Sec. 2. Veterans who have made application for employment in the public service in accordance with the second section of rule twelve of the civil service rules shall be preferred for certification and appointment in preference to all other applicants not veterans, except women; *Provided*, That the age limit now established by the civil service rules, with regard to appointments in the police and prison service and fire departments, may be applied to such appointments.

Sec. 4. The civil service commission shall, within five days after any examination or certification of candidates for positions in the public service, cause a list of the names of the persons examined or certified, with the standing attained in the examination, to be prepared, and said list shall be open to the inspection of the public between the hours of ten in the forenoon and two in the afternoon of each day.

Sec. 5. Whoever violates any provision of this act shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars.

Sec. 6. The word "application," as used in this act shall be construed to mean a petition for employment, containing a sworn statement by the applicant that he is qualified to perform the duties of the position which he seeks, and accompanied by certificates from three citizens of good repute in the community stating that they know said applicant to be fully competent to perform the duties of the position which he seeks, and accompanied by certificates from three citizens of good repute in the community stating that they know said applicant to be fully competent to perform the duties of the position sought. The word "veteran," as used in this act, shall be construed to mean a person who served in the United States army or navy during the war of the rebellion and was honorably discharged therefrom.

INDEX TO LABOR LAWS.

This book is a preservation photocopy.
It was produced on Hammermill Laser Print natural white,
a 60 # book weight acid-free archival paper
which meets the requirements of
ANSI/NISO Z39.48-1992 (permanence of paper)

Preservation photocopying and binding
by
Acme Bookbinding
Charlestown, Massachusetts
1995